

An Introduction To The Rights And Duties Of Women In Islam

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بسم الله الرحمن الرحیم

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point

This book addresses issues on the status and standing of women, their social, political, and cultural activities, housewifery, art, freedom, lifestyle, natural and .acquired rights, and other issues from Islamic point of view

Publisher's Foreword

"In the Name of Allah, the Compassionate, the Merciful"

The invaluable legacy of the Household [Ahl al-Bayt] of the Prophet (may peace be upon them all), as preserved by their followers, is a comprehensive school of thought

that embraces all branches of Islamic knowledge. This school has produced many .brilliant scholars who have drawn inspiration from this rich and pure resource

It has given many scholars to the Muslim ummah who, following in the footsteps of Imams of the Prophet's Household ('a), have done their best to clear up the doubts raised by various creeds and currents within and without Muslim society and to answer their questions. Throughout the past centuries, they have given well-.reasoned answers and clarifications concerning these questions and doubts

To meet the responsibilities assigned to it, the Ahl al-Bayt World Assembly (ABWA) has embarked on a defence of the sanctity of the Islamic message and its verities, often obscured by the partisans of various sects and creeds as

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well as by currents hostile to Islam. The Assembly follows in the footsteps of the Ahl al-Bayt ('a) and the disciples of their school of thought in its readiness to confront these challenges and tries to be on the frontline in consonance with the demands of .every age

The arguments contained in the works of the scholars belonging to the School of the Ahl al-Bayt ('a) are of unique significance. That is because they are based on genuine scholarship and appeal to reason, and avoid prejudice and bias. These arguments address scholars and thinkers in a manner that appeals to healthy minds and .wholesome human nature

To assist the seekers of truth, the Ahl al-Bayt World Assembly has endeavored to present a new phase of these arguments contained in the studies and translations of the works of contemporary Shi'ah writers and those who have embraced this sublime .school of thought through divine blessing

The Assembly is also engaged in edition and publication of the valuable works of leading Shi'ah scholars of earlier ages to assist the seekers of the truth in discovering the truths which the School of the Prophet's Household ('a) has offered to the entire

.world

The Ahl al-Bayt World Assembly looks forward to benefit from the opinions of the readers and their suggestions and constructive criticism in this area.

We also invite scholars, translators and other institutions to assist us in propagating the genuine Islamic teachings as preached by the Prophet Muhammad (S).

We beseech God, the Most High, to accept our humble

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efforts and to enable us to enhance them under the auspices of Imam al-Mahdi, His vicegerent on the earth (may Allah expedite his advent).

We express our gratitude to Ibrahim Amini, the author of the present book, and Abuzar Ahmadi, its translator. We also thank our colleagues who have participated in producing this work, especially the staff of the Translation Office.

Cultural Affairs Department

Ahl al-Bayt ('a) World Assembly

Section One: The Rights and Duties of Women in Islam

The Standing of Women in Islam

point

According to Islam, women and men alike possess the lofty status of humanity because they are both equally human. The Quran identifies humans as "viceroys of God" [khalifat ullah] and reveres them greatly:

وَ لَقَدْ كَرَّمْنَا بَنِى آدَمَ وَ حَمَلْنَاهُمْ فِى الْبَرِّ وَ الْبَحْرِ وَ رَزَقْنَاهُم مِّنَ الطَّيِّبَاتِ وَ فَضَّلْنَاهُمْ عَلَى كَثِيرٍ مِّمَّنْ خَلَقْنَا تَفْضِيلاً

"And We have surely honored the children of Adam. We have presented them with transport on land and sea, provided them good and pure sustenance, and We have greatly exalted them over many of Our creations."(١)

:Additionally, it states that Adam ('a) had such high rank that the angels bowed to him

فَإِذَا سَوَّيْتُهُ وَ نَفَخْتُ فِيهِ مِن رُّوحِى فَقَعُواْ لَهُ سَاجِدِينَ

So when I shape him and breathe into him of My spirit, fall down, prostrating" (yourselves unto him."(۲)

:All this is due to our humanity. Regarding Adam ('a), the Holy Quran declares

وَ عَلَّمَ آدَمَ الأَسْمَاء كُلَّهَا ثُمَّ عَرَضَهُمْ عَلَى الْمَلاَئِكَهِ فَقَالَ أَنبِئُونِى بِأَسْمَاء هَؤُلاء إِن كُنتُمْ صَادِقِينَ* قَالُواْ سُبْحَانَكَ لاَ عِلْمَ لَنَا إِلاَّ مَا عَلَّمْتَنَا إِنَّكَ أَنتَ الْعَلِيمُ الْحَكِيمُ* قَالَ يَا آدَمُ أَنبِئْهُم بِأَسْمَآئِهِمْ فَلَمَّا أَنبَأَهُمْ بِأَسْمَآئِهِمْ قَالَ أَلَمْ

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.Surah Isra' ۱۷:۷۰ – –۱
.Surah Hijr ۱۵:۲۹ – –۲

أَقُل لَّكُمْ إِنِّى أَعْلَمُ غَيْبَ السَّمَاوَاتِ وَ الأَرْضِ وَ أَعْلَمُ مَا تُبْدُونَ وَ مَا كُنتُمْ تَكْتُمُونَ

And He taught Adam all the Names; then He presented them upon the angels and" said: 'Explain to Me these names, if thou speak truly.' They said: 'Glory be unto Thee! We have no knowledge save what Thou hast taught us. Surely Thou art the All-knowing, the All-wise.' He said: 'O Adam! Explain unto them their names.' When he notified them of their names, God said, 'Did I not tell you that I know the invisible things of the heavens and earth and that I know what you reveal and what you (hide?'"(۱)

The fact that noble Adam ('a) was able to understand the Names and explain them was due to his unique genesis as a human and men and women are equal in this genesis. In general, all extolments in the Quran and Hadith regarding humans encompass both women and men. There is no verse in the Quran that reproaches .women for being women

Therefore, according to Islam and the Quran, men and women are equally human, they are no different in worth, and they possess common responsibilities in managing

:the society, some of which are enumerated below

Common Responsibilities of Men and Women

I. Men and women are both equally responsible for reproduction and continuance of .the human race

:The Holy Quran states

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُم مِّن ذَكَرٍ وَ أُنثَى وَ جَعَلْنَاكُمْ شُعُوبًا وَ قَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِندَ اللَّهِ أَتْقَاكُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ

O Humans! Surely, I have created you as“

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.Surah Baqarah ۲:۳۱-۳۳ - -۱

males and females and have made you into [diverse] races and tribes that you may know one another. Verily, the most noble among you before Allah is the most pious of (you. Truly, Allah is All-knowing, All-aware.”(۱

:It also declares

يَا أَيُّهَا النَّاسُ اتَّقُواْ رَبَّكُمُ الَّذِى خَلَقَكُم مِّن نَّفْسٍ وَاحِدَةٍ وَ خَلَقَ مِنْهَا زَوْجَهَا وَ بَثَّ مِنْهُمَا رِجَالاً كَثِيرًا وَ نِسَاءً وَ اتَّقُواْ اللّهَ الَّذِى تَسَاءلُونَ بِهِ وَ الأَرْحَامَ إِنَّ اللّهَ كَانَ عَلَيْكُمْ رَقِيبًا

O humans! Fear your Lord who created you from a single soul and from it created its“ mate and from the pair of them has disseminated many men and women. So be pious toward Allah, in whose name you ask for assistance, and do not cut off from your (relatives. Surely, Allah watches over you.”(۲

In these verses, women and men are identified as two chief pillars of the society. .Additionally, piety is regarded as the criterion for the superiority of men and women

II. The Quran identifies faith in God, edification [tahdhib] and purification of the soul of all evils [tazkiyah], piety, and performing good deeds as the only path to human salvation. In this context, it does not differentiate between women and men. In fact, it

regards both equally worthy of spiritual advancement, perfection, and proximity to God [qurb ila allah].

God, the Sublime, has stated in the Quran:

مَنْ عَمِلَ صَالِحًا مِّن ذَكَرٍ أَوْ أُنثَى وَ هُوَ مُؤْمِنٌ فَلَنُحْيِيَنَّهُ حَيَاةً طَيِّبَةً وَ لَنَجْزِيَنَّهُمْ أَجْرَهُم بِأَحْسَنِ مَا كَانُواْ يَعْمَلُونَ

"Whosoever performs a good deed, whether man or woman, while having faith in

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۱- - Surah Hujurat ۴۹:۱۳.

۲- - Surah Nisa' ۴:۱.

Allah, We shall assuredly restore them with a good and pure life and We shall recompense them with rewards according to the best of what they have done."(۱)

Allah also declares:

فَاسْتَجَابَ لَهُمْ رَبُّهُمْ أَنِّی لاَ أُضِیعُ عَمَلَ عَامِلٍ مِّنکُم مِّن ذَکَرٍ أَوْ أُنثَی بَعْضُکُم مِّن بَعْضٍ

"Therefore their Lord granted their prayers. Verily, I shall not suffer the work of any agent among you to be lost, whether man or woman; you are all members of the same race."(۲)

The Quran praises righteous and worthy women and men similarly and thus states:

إِنَّ الْمُسْلِمِینَ وَ الْمُسْلِمَاتِ وَ الْمُؤْمِنِینَ وَ الْمُؤْمِنَاتِ وَ الْقَانِتِینَ وَ الْقَانِتَاتِ وَ الصَّادِقِینَ وَ الصَّادِقَاتِ وَ الصَّابِرِینَ وَ الصَّابِرَاتِ وَ الْخَاشِعِینَ وَ الْخَاشِعَاتِ وَ الْمُتَصَدِّقِینَ وَ الْمُتَصَدِّقَاتِ وَ الصَّائِمِینَ وَ الصَّائِمَاتِ وَ الْحَافِظِینَ فُرُوجَهُمْ وَ الْحَافِظَاتِ وَ الذَّاکِرِینَ اللَّهَ کَثِیرًا وَ الذَّاکِرَاتِ أَعَدَّ اللَّهُ لَهُم مَّغْفِرَةً وَ أَجْرًا عَظِیمًا

"Verily, for Muslim men and women, for faithful men and women, for obedient men and women, for truthful men and women, for patient men and women, for humble men and women, for almsgiving men and women, for fasting men and women, for men and women who guard their private parts, and for men and women who remember God much, Allah has prepared forgiveness and a mighty reward."(۳)

The Quran has indicated worthy women in history just as it has mentioned such men and has commended them greatly. For example, regarding Saint Maryam (Mary) ('a), :the Quran states

فَتَقَبَّلَهَا رَبُّهَا بِقَبُولٍ حَسَنٍ وَ أَنبَتَهَا نَبَاتًا حَسَنًا وَ كَفَّلَهَا زَكَرِيَّا كُلَّمَا دَخَلَ عَلَيْهَا زَكَرِيَّا الْمِحْرَابَ وَجَدَ عِندَهَا

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Surah Nahl ۱۶:۹۷ – -۱.

Surah Ali 'Imran ۳:۱۹۵ – -۲.

Surah Ahzab ۳۳:۳۵ – -۳.

رِزْقاً قَالَ يَا مَرْيَمُ أَنَّى لَكِ هَذَا قَالَتْ هُوَ مِنْ عِندِ اللَّهِ إِنَّ اللَّهَ يَرْزُقُ مَن يَشَاء بِغَيْرِ حِسَابٍ

So her Lord accepted her with gracious favor and nurtured her well and appointed" Zachariah to foster her. Whenever Zachariah came to her in her sanctuary, he would see that she had (special) food. He said, 'O Maryam! From where does this come to you?' She answered, 'This is from Allah. Verily, Allah provides sustenance to (whomever He wills without reckoning.'"(۱

:Furthermore, it proclaims

وَ إِذْ قَالَتِ الْمَلاَئِكَةُ يَا مَرْيَمُ إِنَّ اللَّهَ اصْطَفَاكِ وَ طَهَّرَكِ وَ اصْطَفَاكِ عَلَى نِسَاء الْعَالَمِينَ

And (remember) when the angels said, 'O Maryam! Allah has chosen you and made" (you pure and has preferred you above all women in creation.'"(۲

:Regarding Asiyah ('a), Pharaoh's wife, God the Most High has stated

وَ ضَرَبَ اللَّهُ مَثَلًا لِّلَّذِينَ آمَنُوا اِمْرَأَهَ فِرْعَوْنَ إِذْ قَالَتْ رَبِّ ابْنِ لِي عِندَكَ بَيْتًا فِي الْجَنَّهِ وَ نَجِّنِي مِن فِرْعَوْنَ وَ عَمَلِهِ وَ نَجِّنِي مِنَ الْقَوْمِ الظَّالِمِينَ

And Allah cites Pharaoh's wife as an example for the believers when she said, 'O" Lord! Build for me, close to Yourself, a home in Paradise and deliver me from Pharaoh (and his works and deliver me from evil doing peoples.'"(۳

Virtuous Fatimah (‘a), the honorable daughter of the Prophet (S), is also one of these superior women. The Verse of Purification [ayah tathir] is about Fatimah (‘a), her husband, father, and children. The exalted Lord declares:

إِنَّمَا يُرِيدُ اللَّهُ لِيُذْهِبَ عَنكُمُ الرِّجْسَ أَهْلَ الْبَيْتِ وَيُطَهِّرَكُمْ تَطْهِيرًا

“Surely, Allah only wishes to remove from you, People of

١- - Surah Ali ‘Imran ٣:٣٧.

٢- - Ibid ٣:۴٢.

٣- - Surah Tahrim ۶۶:١١.

the House, all uncleanness and purify you thoroughly.”(١)

Regarding these lofty women, the Messenger of Allah (S) stated:

قال النبی (ع): سیّدات أهل الجنه أربع: مریم بنت عمران، و فاطمه بنت محمّد، و خدیجه بنت خویلد، و آسیه بنت مزاحم إمرأه فرعون.

“The great women of paradise are four: Maryam daughter of ‘Imran, Fatimah daughter of Muhammad, Khadijah daughter of Khuwaylid, and Asiyah daughter of Muzahim, wife of Pharaoh.”(٢)

As you can see, the Quran does not regard being a woman an impediment to advancement, elevation, and attaining human perfections [fadhayil-e insani]; rather, it regards women to be as worthy as men in attaining perfections.

Of course, some women have been reproached in the Quran, such as Prophet Noah’s (‘a) wife, Prophet Lot’s (‘a) wife, and the wife of the idolater, Abu Lahab.(٣) In a similar manner, various men have also been reproached due to their contemptible works, such as Pharaoh, Nimrod, and Abu Lahab.

III. Islam regards women and men as two pillars of the society that have a common role in the emergence, formation, and management of the society and have an equal

share in all its aspects. Men and women are both part of the community and they uniformly benefit from the virtues of a righteous society and suffer from the destructive effects of its corruption. Consequently, the responsibility of correct management and reformation of the society is charged to both women and men. God :most high states in the Quran

وَ الْمُؤْمِنُونَ وَ الْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاء بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَ يَنْهَوْنَ عَنِ الْمُنكَرِ

۱- - Surah Ahzab ۳۳:۳۳.

۲- - Kashf ul-Ghummah, vol. ۲, p. ۷۶.

۳- - Surah Tahrim ۶۶:۱۰; and Surah Masad ۱۱۱:۴.

وَ يُقِيمُونَ الصَّلاَهَ وَ يُؤْتُونَ الزَّكَاهَ وَ يُطِيعُونَ اللّهَ وَ رَسُولَهُ أُوْلَئِكَ سَيَرْحَمُهُمُ اللّهُ إِنَّ اللّهَ عَزِيزٌ حَكِيمٌ

And male and female believers are protecting friends of each other; they enjoin" righteousness and forbid evil, they perform salat(۱) and pay their alms-tax, they obey Allah and His Messenger. Upon these, Allah shall have mercy. Truly, Allah is Almighty, (All-wise."(۲

It is true that presence in jihad and fighting against enemies is not obligatory [wajib] for women. However, they have not been relieved of any other social responsibilities: enjoining virtues [amr be ma'ruf] and forbidding evils [nahi az munkar]; protecting the religion and its sanctities; propagating Islam; struggling against violation and infringement; defending the rights of the deprived and oppressed; cooperating in good works; aiding the destitute and afflicted; nursing the sick, elderly, and invalids; campaigning against ethical and social corruption; proper fostering and nurturing of the young; augmenting knowledge in the society; fortifying the just government of Islam; upholding Islamic values; contributing to the financial well-being of the family and country; and many other common responsibilities have been given to men and .women alike

IV. Other common duties of women and men are acquisition of knowledge and

decipherment of the secrets of the cosmos, and their utilization for increasing welfare. Men and women are both human and thereby responsible and capable in this .regard

Islam greatly emphasizes pursuing knowledge and even identifies it as an obligation. :Thus, Imam Sadiq (‘a) has quoted from the Messenger of Allah (S) that

عن أبی عبدالله (ع) قال: قال

Salat is the daily ritual prayer of Muslims, which must be performed five times a - -١ [.day in a specific form. [trans

.Surah Tawbah ٩:٧١ - -٢

رسول الله (ص): «طلب العلم فریضه علی کلّ مسلم، ألا إنّ الله یحبّ بغاه العلم.

Obtaining knowledge is obligatory for all Muslims. Know that Allah truly loves seekers“ (of knowledge.”(١

:Moreover, Imam Baqir (‘a) has stated

عن أبی جعفر (ع) قال: «عالم ینتفع بعلمه، أفضل من سبعین ألف عابد.»

A learned person who uses their knowledge is better than seventy thousand devout“ (worshipers [‘abid].”(٢

There are hundreds of similar Hadith on this subject and there is no differentiation between men and women in this respect. As Muslims, women are charged with gaining knowledge in order to become self-sufficient; especially regarding sciences that are essential such as therapeutics, dentistry, psychiatry, pharmaceutics, nursing, obstetrics, experimental sciences, education, psychology, biology, chemistry, management, accounting, Islamic sciences, exegesis, religious belief, religious .jurisprudence, history, literature, art, linguistics, language, law, economics, etc

Women comprise around half the society; therefore, they must share in its

administration. This is why female scientists and specialists of necessary and relevant sciences must equal the men in these fields in order that they are self-sufficient. Half of all hospitals, clinics, universities, schools, academies, pharmacies, laboratories, academies of religion, and Islamic promotional institutes must be assigned to women. Additionally, all maternity hospitals must be female specific and have only as many male specialists as needed for their male patients, though unfortunately this is not so. :This defect or disparity may be for the following two reasons

a. The selfishness, egocentricity, and injustice of men throughout history, which has prevented women from attaining their lawful rights in independence and has kept

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.Kafi, vol. ١, p. ٣٠ - -١
.Ibid, p. ٣٣ - -٢

women dependent

b. The self-negligence, absence of self-knowledge, opulence-centricity, and aestheticism of women who have not understood the correct manner to vindicate their rights and have fallen astray

Women must understand their true roles and responsibilities. They must endeavor to realize independence, self-reliance, and their lawful rights and must be careful not to .deviate from the correct path as many others who have diverged

Women and Freedom

point

Like men, women have been created free and desire to live without the intrusion of others. The inclination for freedom is a natural and legitimate desire. However, can ?humans truly live independently and unassisted in a community

Humans have need of their fellow creatures. They must observe the rights and wants of others and must restrict their individual freedoms to the limits of societal laws. Such

restrictions are not adverse to humans; they benefit humanity. Additionally, living in complete freedom and unquestionably following one's carnal desires injures humankind. In such cases, restrictions must be endorsed since it is to everyone's true .advantage

Even though Islam respects humanity's right to freedom, it regards absolute freedom neither possible nor compliant with humankind's individual or social good. Hence, by observing the spiritual, material, worldly, otherworldly, individual, and social benefit of humans, Islam has decreed ordinances, laws, and responsibilities and has thus confined the freedom of humans. Some of these limiting rules and injunctions may not be pleasing to some people and they may regard them obtrusive to their personal freedom. However, these assessments are an effect of shortfalls in correctly understanding one's

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own true interests. If humans were fully aware of their true interests, they would not deem religious restrictions detriments to their freedom and would willingly consent to .these limitations

The freedom of women is also such. Islam respects the freedom of women and observes it in its legislation, provided that it is not contrary to the true interests of the collective human society. Thus, in cases that freedom is at variance with the true interests of women, Islam prefers restrictions to unconditional latitude. Herein :several of women's liberties shall be briefly reviewed

Freedom in Work .۱

As previously stated, Islam regards women as one of the two pillars of the society and has given them various responsibilities. Women cannot and must not be crippled members or useless constituents of the society. Islam regards work as an obligation and a superior form of worship and warns its supporters to avoid idleness, vanity, and retirement from work. There are many Hadith regarding this issue, some of which are .mentioned below

:The Messenger of Allah (S) has stated

قال رسول الله (ص): «العبادةُ سَبْعُونَ جزءً أفضلها طَلَبُ الحَلال.»

Worship has seventy elements; the noblest of which is endeavoring to gain" (legitimate income."(1

:The noble Musa ibn Ja'far ('a) has declared

بشير الدهان، قال سمعت ابالحسن موسى (ع) يقول: «انّ الله عزّوجلّ يُبغِض الْعَبد النّوام الْفارغ.»

(Surely Allah, the Honored, the Glorified, disfavors languid and idle servants."(2"

According to Islam, working is not a right but a duty and men and women are no different in this regard. Women must also perform their social duties and they

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.Kafi, vol. ۵, p. ۷۸ – –۱

.Ibid, p. ۸۴ – –۲

are free in choosing their occupation. However, taking heed of the special physical and spiritual genesis of women, not all lines of work are consistent with their eminence or abilities and other members of the society. Women are exquisite, sensitive, and beautiful beings. Because of this exquisiteness and beauty, they have .much allure and influence with men

Thus, they must endeavor to choose professions that can keep their spiritual and physical beauty impeccable for their husbands. Thus working in onerous and physically taxing jobs is not advisable for women; these include professions such as driving heavy vehicles, overnight jobs, farming, animal husbandry, and working in mines, ironworks, cement and automobile factories, etc. These occupations are usually beyond the normal physical capacities of women and endanger their beauty, exquisiteness, and allure, which is neither to the benefit of women nor to that of their .spouses

Consequently, Islam advises that men not allow women to perform laborious work. :(Amir al-Mu'minin(۱) said to his son Imam Hassan ('a

فی رساله أمیرالمؤمنین إلی الحسن (ع) قال: «لا تملک المرأه من الأمر ما یجاوز نفسها؛ فإنّ ذلک أنعم بحالها، و أرخی لبالها، و أدوم لجمالها؛ فإنّ المرأه ریحانه و لیست بقهرمانه.»

Do not tolerate that women do things beyond their abilities because this is more" suitable for their status, it calms their hearts, and preserves their beauty; surely (women are like fragrant flowers and not warriors."(۲

Another important issue is that the exquisiteness, beauty, and allure of women are as natural as the inability of most men in resisting

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۱- - Amir al-Mu'minin (meaning: Commander of the Faithful) is the title of Imam 'Ali ibn Abi Talib ('a). [trans.]

۲- - Wasa'il ush-Shi'ah, vol. ۲۰, p. ۱۶۸.

sexual temptation. Thus, it is in the interests of women and the society in general that they choose professions with less contact with non-kindred men, especially youths and unmarried men, in order to avoid probable harm to their faith and reputation and .aid the health and virtue of the society

We must also bear in mind that women are sentimental and affectionate beings and can be more quickly affected by their emotions than men. Hence, it is not in the interests of women or the society that they take professions that require increased .decisiveness or brutality such as judgeship and military and disciplinary professions

The final issue that women must take in mind in choosing a line of work is observing the rights of their children and preserving the family. If a woman is married and has children, she must be heedful of the fact that she has an even greater responsibility, which is caring for her husband and correctly rearing their children; a charge that the unique genesis of women has put upon them. It is true that women are free in

selecting their careers, but they must choose one that does not weaken the benign cornerstones of the family and that does not deprive children of maternal love and .affection and correct education and training

In such cases, the course of action must be determined by mutual agreement and men must abandon inappropriate prejudices, selfishness, egocentricity, and patriarchal habits and must impartially allow women to choose suitable careers in proportion with

p: ۱۴

.the interests of the family as a whole

Freedom in Proprietorship .۲

Islam respects the ownership of both women and men. A woman may gain and become owner of properties and wealth through industry, commerce, dower, gifts, working as a staff member, or any other legitimate method. She may gain profit from these methods and no one has the right to appropriate her possessions without her consent, whether they be her father, mother, husband, or children. The Quran :declares

وَ لاَ تَتَمَنَّوْاْ مَا فَضَّلَ اللّهُ بِهِ بَعْضَكُمْ عَلَى بَعْضٍ لِّلرِّجَالِ نَصِيبٌ مِّمَّا اكْتَسَبُواْ وَ لِلنِّسَاء نَصِيبٌ مِّمَّا اكْتَسَبْنَ وَ اسْأَلُواْ اللّهَ مِن فَضْلِهِ إِنَّ اللّهَ كَانَ بِكُلِّ شَيْءٍ عَلِيمًا

Do not covet that by which Allah has elevated some of you over others. To men is " allotted what they earn and to women is allotted what they earn. So ask Allah of His (bounty. Surely Allah has absolute knowledge of all things."(۱

Freedom in Marriage .۳

Like men, women are completely free in marriage and choosing their spouse. A mature woman may not be married without her consent and such a marriage is void. No one has the right to force a woman to marry or to choose a specific husband for :her, even one's father, mother, sibling, or grandparents. Imam Sadiq ('a) has stated

منصور بن حازم، عن أبی عبدالله (ع) قال: «تستأمر البكر و غيرها ولا تنكح إلّا بأمرها.»

Women must be asked permission for their marriage, virgin or otherwise, and“ (marriage is not correct without the woman’s behest.”(٢

:Concerning a man who wanted to marry off his sister, Imam Sadiq (‘a) stated

داود

١- - Surah Nisa’ ۴:٣٢.

٢- - Wasa’il ush-Shi‘ah, vol. ٢٠, p. ٢٨۴.

بن سرحان، عن أبی عبدالله (ع) فی رجل يريد أن يزوّج أخته، قال: «يؤامرها، فإن سكتت فهو إقرارها، و لا تنكح إلّا بأمرها.»

She must be asked permission; if she is reticent, her silence is permission. However,“ (marriage is not correct without the woman’s behest.”(١

Hence, in order for a marriage to be correct, the acquiescence of the woman is necessary regardless of whether she is a virgin or not. Here, the question arises that: in order for a marriage to be correct, in addition to the woman’s consent, is her father ?or grandfather’s consent also a requirement

The answer of this question has been expounded thus: If the woman is not a virgin (hence previously married), the consent of her father or grandfather is not necessary and she may decide to remarry independently. Various Hadith have emphasized this :fact. Regarding the marriage of a non-virgin woman, Imam Sadiq (‘a) has stated

حلبی عن أبی عبدالله (ع) قال: فی المرأه الثيّب تخطب إلی نفسها، قال: «هی أملك بنفسها، تولّی أمرها من شاءت إذا كان كفواً بعد أن تكون قد نكحت رجلاً قبله.»

She has more authority over herself than any other person. If she has had a previous“ (marriage, she can choose her desired spouse for remarriage if he is good for her.”(٢

:Imam Sadiq (‘a) has also stated

عن أبی عبدالله (ع) قال: «لا بأس أن تزّوج المرأه نفسها إذا کانت ثیباً بغیر إذن أبیها إذا کان لا بأس بما صنعت.»

There is no problem with a non-virgin (previously married) woman getting married" without the consent of

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.Ibid, p. ۲۷۴ – –۱

.Ibid, vol. ۲, p. ۲۶۹ – –۲

her father if she has no defects."(۱)

However, if a woman is a virgin (and previously unmarried), almost all religious jurisprudents [faqih] regard the permission of the father or grandfather necessary for her marriage and have substantiated this claim with various Hadith. Imam Sadiq ('a) :has declared

أبو مریم، عن أبی عبدالله (ع) قال: «الجاریه البکر التی لها أبٌ لا تتزوّج إلّا بإذن أبیها.»

"A virgin woman who has a father must not marry without her father's consent."(۲)

The freedom of virgin women in choosing a husband has only been restricted in this case to the permission of their fathers or grandfathers. Even so, this restriction is not only not harmful to the woman, it is primarily in her good interests. Because virgin women have not married before, they have no experience is this matter and cannot completely investigate their suitor due to their modesty. In this case, they need a compassionate, loving, and experienced advisor who can give them guidance. Hence, a father or grandfather is the best person for aiding the woman in this important and .fateful issue

Consultation with and permission of the father has an additional benefit. It is a type of respect towards the father, seeking his approval and cooperating with him. Doubtless, this will have a great part in improvement of family relations, the future life .of the married couple, and the solving of potential problems

However, it must be stated that there are two exceptions to this rule: First, when the woman's father or grandfather is not available for

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.Ibid, p. ٢٧٢ – –١

.Ibid, p. ٢٧٠ – –٢

obtaining permission. Second, when it is time for the woman to marry and she has a fitting suitor but her father brings undue excuses and refuses everyone. In these two cases, religious jurisprudents can give the woman permission to marry a desired and .worthy suitor in lieu of her father's permission

Freedom in Seeking Knowledge .۴

Unmarried women may freely endeavor to acquire knowledge and no one has the right to prevent them from learning. However, a married woman must observe the rights of her spouse and children and must confer with her husband on this issue in .order to reach a consensus

The conditions surrounding this issue are similar to those of freedom in work. Of course, this refers to studying outside the home at educational facilities such as a .university; studying at home in one's leisure time is not detrimental to familial life

Freedom in Residence Selection .۵

Single women are at liberty to choose a home for themselves, though wedded women must adhere to their husband's place of residence. Providing a house is up to men and .it is their prerogative

Naturally, the home must be within the dignity of the family, consistent with the husband's capital, and such that the peace and welfare of the family is assured. If they are living in a shared home (with other relatives) and the woman requests a private home, if it is in his power the man must acquiesce. In addition, if their house is small or if they are under pressure for some reason and the woman asks for a

new residence the man must accept if he is able. These are examples of kind association [mu'ashirat bi ma'ruf] that God enjoins in the Quran:

...وَ عَاشِرُوهُنَّ بِالْمَعْرُوفِ...

"And consort with your wives in kindness."(۱)

It is also stated in the Quran as follows:

...وَ لَا تُضَارُّوهُنَّ لِتُضَيِّقُوا عَلَيْهِنَّ...

"And harass them not, so as to straiten life for them."(۲)

Even though choosing a home is the man's prerogative, the woman may stipulate as an annex to the marriage contract that she select a dwelling place or request that she be given dwelling rights. If the man accepts the annex, he must abide by his wife's desires in this matter and if he violates her request, he is a sinner.

Women and Hijab

point

Hijab literally means covering and is a type of clothing that covers a woman's body. Islam instructs women to cover their bodies (except their hands and face) from non-mahram(۳) men.

The necessity of having Hijab can be extracted from Quranic verses and various Hadith. Here three verses on this issue are presented.

First Verse

Allah, Most High, has stated in the Quran:

قُلْ لِلْمُؤْمِنِينَ يَغُضُّوا مِنْ أَبْصَارِهِمْ وَ يَحْفَظُوا فُرُوجَهُمْ ذَلِكَ أَزْكَى لَهُمْ إِنَّ اللَّهَ خَبِيرٌ بِمَا يَصْنَعُونَ* وَ قُلْ لِلْمُؤْمِنَاتِ يَغْضُضْنَ مِنْ أَبْصَارِهِنَّ وَ يَحْفَظْنَ فُرُوجَهُنَّ وَ لَا يُبْدِينَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ مِنْهَا وَلْيَضْرِبْنَ بِخُمُرِهِنَّ عَلَى جُيُوبِهِنَّ وَ لَا يُبْدِينَ زِينَتَهُنَّ إِلَّا لِبُعُولَتِهِنَّ أَوْ آبَائِهِنَّ أَوْ آبَاءِ بُعُولَتِهِنَّ أَوْ أَبْنَائِهِنَّ أَوْ أَبْنَاءِ بُعُولَتِهِنَّ أَوْ إِخْوَانِهِنَّ أَوْ بَنِي إِخْوَانِهِنَّ أَوْ بَنِي أَخَوَاتِهِنَّ أَوْ نِسَائِهِنَّ أَوْ مَا مَلَكَتْ

أَیْمَانُهُنَّ أَوِ التَّابِعِینَ غَیْرِ أَوْلِی الْإِرْبَهِ مِنَ الرِّجَالِ أَوِ الطِّفْلِ الَّذِینَ لَمْ

۱- - Surah Nisa' ۴:۱۹.

۲- - Surah Talaq ۶۵:۶.

۳- - The word non-mahram denotes males that are not close family members in front of whom women must cover themselves and behave modestly. The relationships of mahram men (close family members) are explained in more detail and mentioned in verses in ensuing sections. [trans.]

یَظْهَرُوا عَلَی عَوْرَاتِ النِّسَاء وَ لَا یَضْرِبْنَ بِأَرْجُلِهِنَّ لِیُعْلَمَ مَا یُخْفِینَ مِن زِینَتِهِنَّ وَ تُوبُوا إِلَی اللَّهِ جَمِیعًا أَیُّهَا الْمُؤْمِنُونَ لَعَلَّکُمْ تُفْلِحُونَ

"Tell the believing men to cast down their eyes (from indecent looks) and guard their modesty. This is purer for them. Surely Allah is aware of all they do. And tell the believing women to cast down their eyes (from indecent looks) and guard their modesty and refrain from revealing their adornments save those that are (naturally) manifest and cast their veils over their bosoms and not reveal their adornments save for their husband, father, husband's father, sons, husband's sons, brothers, brother's sons, sister's sons, their fellow women (in faith), their bondservants, their dependants (such as dullards) who do not have sexual desires, or children who do not know of women's private parts; and they must not stomp their feet in order to reveal their hidden ornaments. And repent to Allah, O believers, haply you may attain bliss."(۱)

These verses pertain to the Hijab of women and contain several issues that must be expounded:

First, they ask the faithful, men and women, to secure their eyes and not leer. Men must not stare at women and women must not stare at men.

The word Ghudh [غض] means decreasing and closing. Ghudha basar means shortening one's gaze and not staring. Sometimes, persons look at others and looking is not their purpose. At other times, people look lustfully at others for sexual pleasure; this is called leering. Leering is a cause for human

.Surah Nur ۲۴:۳۰-۳۱ - -۱

corruption and thus it has been forbidden. However, looking without hedonistic desires is not forbidden (haram), because it is necessary for sociability and communal .living

Next, these verses direct men and women to guard their private parts [furuj]. Furuj is plural of farj which means pudendum ['aurat]. Guarding one's farj or covering it signifies preserving one's chastity and modesty by ghudha basar—meaning not .staring—and observing Hijab

:Then, they address women and declare

... لا يُبدِينَ زِينَتَهُنَّ إِلّا ما ظَهَرَ مِنها ...

".Do not reveal your adornments save those that are manifest"

Zinat means adornment. There are various types of adornment. First are those that are detached from the body, such as earrings, necklaces, rings, hairclips, bracelets, and decorative clothes. Second are those that are applied to the body, such as eyeliner, nail polish, and hair color. Adornment spoken of in this verse encompasses both these types. Women are advised to eschew revealing their adornments for non-mahram men and thus prevent drawing the attention of men and arousing their .sexual inclinations

gives women permission to refrain from hiding their إِلّا ما ظَهَرَ مِنها Next, the statement evident adornments—that are naturally obvious—such as Surmah (a specific type of natural eyeliner), eyebrow coloring, henna, rings, veil coloring, robes, and shoes. Since women are part of the society and have social responsibilities, naturally, non-mahram men see will certainly see their face, hands, and obvious adornments and covering these would be difficult. For this reason, Islam gives them permission to perform their .duties without covering these

Correspondingly, various Hadith also interpret adornments

mentioned in this verse in this manner. Zurarah cited from Imam Sadiq (‘a) that he interpreted the words of God, إلّا ما ظَهَرَ مِنها, in the following manner:

زراره، عن أبى عبدالله (ع) فى قول الله عزّوجلّ: {إلّا ما ظَهَرَ مِنها} قال: «الزينه الظاهره الكحل و الخاتم.»

“Manifest adornments consist of Surmah and rings.”(۱)

Abubasir states:

أبوبصير، عن أبى عبدالله (ع) قال: سألته عن قول الله عزّوجلّ {لا يُبدِينَ زِينَتَهُنَّ إِلّا ما ظَهَرَ مِنها} قال: «الخاتم و المسكه و هى القلب.»

“I asked Imam Sadiq (‘a) for the interpretation of God’s words, لا يُبدِينَ زِينَتَهُنَّ إِلّا ما ظَهَرَ مِنها, he stated: Manifest adornments consist of rings and bracelets.”(۲)

After speaking of Hijab the Quran states:

...وَلْيَضْرِبْنَ بِخُمُرِهِنَّ عَلَىٰ جُيُوبِهِنَّ...

Khumur (خُمُر) is the plural form of khimar (خِمار) which is a kind of large veil or headscarf. Also, juyub is the plural form of jayb which means shirt collar.

It is said that at the time of the Prophet of Allah (S) women wore shirts that were open at the collar and revealed a portion of their breasts. Additionally, they put the sides of their headscarves behind their ears; therefore, their ears, earrings, neck, and a portion of their breasts were bared. Consequently, this verse directs women to cast their headscarves over their open neckline in order to cover their ears, earrings, neck, and breasts.

Tabarsi interprets this verse thus:

“Khumur (خُمُر) is the plural form of khimar (خِمار) which is a kind of veil or headscarf that falls over one’s neck and neckline. This verse instructs women to cast their

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.Wasa’il ush-Shi‘ah, vol. ۲۰, p. ۲۰۱ - -۱
.Ibid - -۲

headscarves over their breasts in order to cover their necks, since formerly, they would cast their headscarves behind their heads, which caused their breasts to be (revealed.”(۱

:Following this statement, the Quran states

...وَ لا يَضْرِبْنَ بِأَرْجُلِهِنَّ لِيُعْلَمَ ما يُخْفِينَ مِن زِينَتِهِنَّ...

In order to completely observe modesty and prevent social corruption, women are advised to refrain from walking heavily to keep non-mahram men from hearing the sounds of their adornments. This is because such sounds may cause men to become sexually aroused and hence cause problems in the society, especially for youths and .single men

:Several important ethical and Islamic issues can be derived from this verse

Men and women (who aren’t married to each other) must abstain from visual .۱ indulgence and looking at each other in a lustful manner. People must not look at one .another for sexual pleasure

.Women must not reveal their hidden adornments to men .۲

Women are obligated to wear their veil or headscarf in such a manner that their .۳ ears, earrings, their neck and the surrounding area, and their breasts are completely .covered

In order to honor public modesty and counteract moral corruption, women are .۴ .advised to tread softly so the sounds of their steps do not cause corruption in men

.Women are not required to cover their obvious adornments .۵

Second Verse

:Allah, the Exalted, has stated is the holy Quran

يَا أَيُّهَا النَّبِيُّ قُل لِّأَزْوَاجِکَ وَ بَنَاتِکَ وَ نِسَاء الْمُؤْمِنِينَ يُدْنِينَ عَلَيْهِنَّ مِن جَلَابِيبِهِنَّ ذَلِکَ أَدْنَى أَن يُعْرَفْنَ فَلَا يُؤْذَيْنَ وَ كَانَ اللَّهُ غَفُورًا رَّحِيمًا

O Prophet! Tell your wives and daughters“

.Majma‘ ul-Bayan, vol. ٧, p. ١٣٨ – -١

and believing women to draw their veils (cloaks) close unto themselves. This is better so that they may be recognized (as modest women) and therefore not be molested (and Allah is much-forgiving and merciful.”(١

as a loose shirt or garment for women (جِلْباب) The dictionary of Qamus defines jalbab or a garment worn on top of other clothes, which covers the other clothes completely. It is also defined as a veil or headscarf. Raghib has defined jalbab as a shirt and scarf in his book, Mufradat. Moreover, in Al-Munjid, jalbab is defined as a loose shirt or .garment

Therefore, this verse may be interpreted thus: Tell women to wear their robe such that it covers the whole body and hides it from the eyes of outsiders. If they do so, they will be known as chaste women. Thus, they will avoid the attention of strangers .and will not be molested

This verse indicates that Muslim women must wear conservative, concealing, and plain clothes when leaving their house and thus prevent ethical and social corruption. .Such conduct is advantageous to women, men, and youths in general

Third Verse

:The Quran states

يَا نِسَاء النَّبِيِّ لَسْتُنَّ كَأَحَدٍ مِّنَ النِّسَاء إِنِ اتَّقَيْتُنَّ فَلَا تَخْضَعْنَ بِالْقَوْلِ فَيَطْمَعَ الَّذِى فِى قَلْبِهِ مَرَضٌ وَ قُلْنَ قَوْلًا مَّعْرُوفًا * وَ قَرْنَ فِى بُيُوتِكُنَّ وَ لَا تَبَرَّجْنَ تَبَرُّجَ الْجَاهِلِيَّهِ...

O women of the prophet! You are not as other women, if you are pious. So speak not" tenderly to make those who have sickness in their heart lustful, but speak in a normal manner. And

p: ۲۴

Surah Ahzab ۳۳:۵۹.H – –۱

(stay in your homes and do not flaunt yourselves as in the Age of Ignorance."(۱)

:In this verse, women are given three recommendations

That they not speak in a tender and soft manner since speaking in this manner may .۱ incite the lusts of impure men

That they stay at home .۲

That they not display themselves before outsiders without the necessary covering .۳ and not flaunt themselves and show off their beauty and cosmetics

Even though this verse addresses the wives and daughters of the prophet, its .instructions apply to all women

It must be said that the statement قَرْنَ فى بُيُوتِكُنَّ does not mean that the wives of the Prophet (S) and other women must always stay at home and never leave the house; because, as I have previously stated, women are true members of the society and have responsibilities that necessitate leaving the house. Moreover, at the time of the Prophet (S) women would exit their homes and they would present themselves at .mosques

They would listen to the words of the Prophet (S) and would ask their religious questions. Indeed, many women are narrators of Hadith and many narrators transmit Hadith from them. They would participate in battles and would treat and minister to

the wounded. The Prophet's (S) wives would also participate in battles, although they .were not commissioned to fight

It was not the manner of the Prophet (S) and his followers to confine women to their homes, nor does this verse intend such; rather, it means that women must be

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.Surah Ahzab ۳۳:۳۲-۳۳ - -۱

devoted to their homes and regard it as their true place. Moreover, they should favor household management, parenting, and caring for their husband. They must feel responsible for household issues and eschew loitering, walking aimlessly in the .streets, unrestraint, and imprudence

Maharim

(Maharim(۱

.There are two types of men in regard to each woman: mahram and non-mahram

That which has been stated regarding the Hijab of women pertains to non-mahram :men. Observing Hijab is not obligatory before mahram men. Mahram men consist of

One's father's father, grandfather, and all direct paternal ancestors .۱

One's mother's father, grandfather, and all direct maternal ancestors .۲

One's brother and his children and descendants .۳

Children of one's sisters and their descendants .۴

One's paternal uncle, his paternal uncle, and so on .۵

One's maternal uncle, his maternal uncle, and so on .۶

One's husband and father-in-law .۷

One’s father-in-law’s and mother-in-law’s father, grandfather, and so on .۸

One’s husband’s sons and their descendants .۹

One’s sons and all their descendants .۱۰

One’s daughter’s descendants .۱۱

One’s sons-in-law and their sons-in-law, and so on .۱۲

These individuals may see a woman’s body(۲) and women are not obliged to cover themselves in front of them. Of course, this is only on the condition that they do not look upon her for sexual pleasure; otherwise, one cannot even look upon one’s maharim or children. Moreover, if it is for pleasure, women must not even look at .other women, and men must not look at other men

The Limits of Hijab

point

The necessity of Hijab is one of the indisputable commandments [ahkam] of Islam [and all religious jurisprudents [fuqaha

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Maharim is the plural form of mahram. Maharim are close relatives with whom - -۱ one cannot be married. Additionally, one’s spouse is a closer form of mahram. Women are only obliged to cover their private parts before maharim and before their spouse [.they are not required to cover at all. [trans

They may see her entire body save her private parts; even so, modesty is always - -۲ a rule of thumb. Naturally, one’s husband may look at any part of his spouse’s body [.for pleasure or otherwise. [trans

are unanimous in this issue. Women are required to cover their bodies from non-mahram men using chadors,(۱) abas,(۲) long shirts, robes, overcoats, loose coveralls, montoes, veils, headscarves, or any other means that can cover the whole body.

.Islam does not enforce any specific form of covering

There is no disagreement regarding the necessity of observing Hijab. However, there is dispute among religious jurisprudents regarding covering the face and the hands up to the wrists. Some religious jurisprudents regard covering these obligatory or at least advise precaution [ihtiyat]. Even so, most religious jurisprudents do not consider :covering these areas obligatory and cite various rationales for its superfluity

Reason One

:Hadith that directly and explicitly refute the necessity of covering the face and hands

مسعده بن زياد قال سمعت جعفراً عليه السلام و سئل عمّا تظهر المرأه من زينتها قال: «الوجه و الكفين».

Mas‘adah ibn Ziyad said: “I heard from (Imam) Ja‘far (‘a) that in answer to a question (about the apparent adornments of women he replied: ‘The face and two hands.’”(۳

مروك بن عبيد، عن بعض أصحابنا، عن أبى عبدالله (ع) قال: ما يحلّ للرجل أن يرى من المرأه إذا لم يكن محرماً؟ قال: «الوجه و الكفّان و القدمان.»

In answer to a person who asked, “Which parts of a woman can a man who is not mahram look at?” the noble Imam Sadiq (‘a) answered, “The face, two hands, and two (feet.”(۴

عليّ بن جعفر، عن أخيه موسى (ع)، قال: «سألته عن الرجل ما يصلح أن ينظر إليه من المرأه إذا لم يكن محرماً؟» قال: «الوجه و الكفّ و

۱- - A chador is a type of loose cloth that covers the whole body except the face and hands. [trans.]

۲- - An aba is a type of robe traditionally worn by Arabs. [trans.]

۳- - Wasa’il ush-Shi‘ah, vol. ۲۰, p. ۲۱۲.

۴- - Ibid, vol. ۲۰, p. ۲۰۱.

موضع السوار.»

Ali ibn Ja‘far said, “I asked my brother, Musa ibn Ja‘far (‘a), ‘Which parts of a non-mahram woman can a man look at?’ he replied, ‘The face, hands, and the area of a bracelet.’”(1)

عليّ بن سويـد، قال: قلتُ لأبى الحسن (ع): إنّى مبتلى بالنظر إلى المرأه الجميله يعجبنى النظر إليها. فقال لى: «يا عليّ! لا بأس إذا عرف من نيّتك الصدق: و إيّاك و الزنا: فإنّه يمحق البركه و يهلك الدين.»

Ali ibn Sawid said, ‘I said to Musa ibn Ja‘far (‘a), ‘I have been afflicted with looking at a beautiful woman and I like to look at her at all times, what should I do?’ He answered, ‘O ‘Ali! It has no problem if you have good intentions, but I warn you of fornication because it repels blessings and destroys one’s religion.’”(2)

مفضّـل بن عمر، قـال: قلتُ لأـبى عبـدالله (ع): جعلتُ فـداك، مـا تقول فى المرأه تكون فى السـفر مع الرجـال ليس فيهم لهـا ذو محرم، و لا معهم امرأه، فتموت المرأه، ما يصنع بها؟ قال: «يُغسَل منها ما أوجب الله عليه التيمم، و لا تمسّ، و لا يُكشف لها شيء من محاسنها التى أمر الله بسترها.» قلت: فكيف يصنع بها؟ قال: «يغسل بطن كفّيها، ثمّ يغسل وجهها، ثمّ يغسل ظهر كفّيها.»

Mufadhdhal stated, “I said to Imam Sadiq (‘a), ‘May I be sacrificed for you! What must be done regarding a woman who traveled with non-mahram men and died with no accompanying women?’ He answered, ‘They must wash [ghusl] the areas of Tayammum, but they must not touch her and

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1- - Nur uth-Thaqalayn, vol. ۳, p. ۵۹۰.

2- - Ibid.

must not expose that which Allah has appointed to be covered.’ Mufadhdhal said, ‘Then what should be done?’ He replied, ‘First, one must wash the inner surface of her hands, then her face, then the outer surface of her hands.’”(1)

Reason Two

Some Hadith do not plainly mention the face and hands although they indirectly denote the fact that covering the face and hands is not obligatory.

احمد بن محمد بن أبی نصر، عن الرضا (ع)، قال: سألته عن الرجل یحلّ له أن ینظر إلی شعر أخت امرأته؟ فقال: «لا، إلّا أن تکون من القواعد.» قلت: أخت امرأته و الغریبه سواء؟ قال: «نعم». قلت: فما لی من النظر إلیه منها؟ فقال: «شعرها و ذراعها.»

Ahmad ibn Muhammad ibn Abinasr said, "I asked Imam Ridha ('a) if a man can look at the hair of his wife's sister. He answered, 'No, unless his wife's sister is old and decrepit.' I then said, 'A wife's sister and non-mahram women are the same?' He answered, 'Yes.' I said, 'So what parts of an old woman may I look at?' He answered, 'Their hair and arms.'"(۲)

The fact that the narrator of this Hadith asks about the permissibility of looking at the hair of one's wife's sister but does not ask about looking at her face shows that he regarded its permissibility certain, or else asking about looking at her face had precedence. Additionally, from the fact that in reply to the question regarding the extent one can look at an old woman, the Imam answered, 'her hair and arms'

۱- - Wasa'il ush-Shi'ah, vol. ۲, p. ۵۲۲.

۲- - Ibid, vol. ۲۰, p. ۱۹۹.

and did not add her face, shows that he too regarded the permissibility of looking at a woman's face an obvious fact that did not need explaining, otherwise, he should have mentioned it.

احمد بن محمد بن أبی نصر، عن الرضا (ع)، قال: «یؤخذ الغلام بالصلاه و هو ابن سبع سنین، و لا تغطّی المرأه شعرها منه حتی یحتلم.»

Ahmad ibn Muhammad ibn Abinasr cited from Imam Ridha, "A boy is made to pray at seven years of age but women cover their hair from him when he starts having involuntary ejaculations of semen during sleep [ihtilam]."(۱)

عبدالرحمن بن الحجّاج، قال: سألت أبا إبراهیم (ع) عن الجاریه التی لم تدرک متی ینبغی ألا تغطّی رأسها ممّن لیس بینها و بینه محرم؟ و متی یجب علیها أن تقنّع رأسها للصلاه؟ قال: «لا تغطّی رأسها حتی تحرم علیها الصلاه.»

Abd ur-Rahman ibn al-Hajjaj said, "Regarding a girl who is not yet mature, I asked

Imam Musa ibn Ja'far ('a), 'When must she cover her head from non-mahram men and when must she veil her head for salat?' He answered, 'She need not cover her head until the age that prayer becomes prohibited for her [due to menstruation].'"(2)

These two Hadith indicate that the necessity of covering one's head and hair is an effect of physical maturity; however, nothing is said of the necessity of covering the face. If it was truly obligatory, stating this fact would have precedence. Thus, it is demonstrated that covering one's face is not obligatory for women.

Reason Three

As I have indicated, it can be

1- - Ibid, vol. ٢٠, p. ٢٢٩.
2- - Ibid, vol. ٢, p. ٢٢٨.

discerned from the statement لا يُبـدِينَ زِينَتَهُنَّ إلّا ما ظَهَرَ مِنها that covering the hands and face is not obligatory since various Hadith of the Ahl ul-Bayt state that applying Surmah and wearing rings are instances of إلّـا مـا ظَهَرَ مِنها and need not be covered. Hence, covering the face and hands, which are the locations of these adornments, must not be necessary.

Moreover, the statement وَلْيَضْـرِبْنَ بِخُمُرِهِنَّ عَلىٰ جُيُوبِهِنَّ, which is mentioned in this same verse, also indicates the inessentiality of covering the face because it advises women to cast their veil or headscarf over their necks and breasts and says nothing about covering their face, which shows that it is not necessary. Additionally, in the Hadith from Mas'adah ibn Sadaqah, which was previously mentioned in this discussion, the face and two hands were enumerated as instances of إلّا ما ظَهَرَ مِنها.

Reason Four

Various Hadith and historical facts reveal that at the time of the Prophet of Allah (S), it was not traditional for women to cover their face and they would go about in public

places with their faces uncovered. Men would see their faces, they would talk to each other, socialize and barter, and women would listen to Hadith from the Prophet (S) .and cite them to men

There are hundreds of female narrators of Hadith, including even the wives and daughters of the Prophet (S). 'Ayishah, Hafsah, Umm Salamah, and Fatimah ('a) have cited hundreds of Hadith and this necessitates men seeing women's faces and hearing their voices. The

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Prophet of Allah (S) neither commanded women to cover their faces, nor did he forbid men from looking at their faces and hearing their voices, unless it was with sexual and .lewd intentions

Jabir ibn 'Abdullah Ansari has said: One day the Prophet of Allah ('a) went to see Fatimah ('a) while I was with him. When he came to the door of her house, he knocked and declared, 'as-Salamu 'Alaykum.' From within the house, Fatimah ('a) said, 'Alayk as-Salam, O Prophet of Allah!' The Prophet (S) said, 'May I enter your home?' Fatimah ('a) replied, 'You may.' The Prophet of Allah (S) said, 'Shall I enter with my companion?' Fatimah ('a) replied, 'O Prophet of Allah! I do not have on my headscarf.' The Prophet (S) said, 'Cast the extras of your cloak on your head.' Fatimah ('a) did so. Then the Prophet of Allah (S) said, 'as-Salamu 'Alaykum.' Fatimah ('a) replied. Then the Prophet (S) said, 'Shall I enter with my male companion?' She answered, 'Please '.enter

.The Prophet of Allah (S) entered the house and I too entered"

My eyes came across the face of Fatimah ('a), which was yellow like turmeric. The" Prophet of Allah (S) declared, 'O daughter! Why is your face yellow so?' She replied, 'O Prophet of Allah! It is from intense hunger.' The Prophet of Allah (S) prayed, 'O Lord who satiates the hungry, satiate Fatimah daughter of Muhammad!' I swear by Allah! After the prayer of the Prophet of Allah (S), I looked at

the face of Fatimah ('a). Blood flowed into her face and it became red and after that she no longer felt hungry.(۱)

This narrative shows that Fatimah's ('a) face was uncovered in such a way that Jabir first saw its yellowness and after the prayer of the Prophet (S), its redness.

Sa'd Iskaf cites from Imam Baqir ('a), "A young man of the Ansar(۲) encountered a woman in the streets of Madinah. In those times, women would cast their headscarves behind their ears. The Ansari youth stared at her until he came to her and passed her, and then he looked at her from behind. Suddenly, his head hit piece of sharp bone or glass that was sticking out of the wall. His face was cut and blood flowed upon his chest and clothes. The youth said, 'I swear to God! I shall complain about this woman before the Prophet of Allah (S).'

The youth came into the presence of the Prophet of Allah (S). The Prophet asked, 'Why are you thus bloody?' The youth recounted the tale. Just then, Gabriel came upon the Prophet (S) and revealed unto him verse ۳۰ of Surah Nur (This verse and its subsequent verse were explicated in detail at the beginning of this chapter).

This account shows that at the time of the Prophet (S) and the advent of Islam, not only did women leave their faces uncovered, they also cast their headscarves behind their ears. Consequently, their ears, earrings, necks, and breasts were apparent. The affair

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۱- - Tafsir-e Nur uth-Thaqalayn, vol. ۳, p. ۵۸۷.

۲- - Ansar literally means helpers. It is the denomination of the new Muslims of Madinah (then called Yathrib) who invited the Prophet (s) and his followers to live in their city away from the persecutions of the idolaters of Mecca. [trans.]

of this Ansari youth took place in this period, which was when he took his complaint to

.(the Prophet (S) and the verse of Hijab was revealed unto the Prophet (S

This verse advises women to cast the fringes of their headscarves around their necks so that their ears, earrings, necks, and breasts are covered. However, interestingly, no instruction was given regarding covering the face and this demonstrates its inessentiality. In order to prevent ethical and social corruption and the recurrence of incidents similar to the affair of the Ansari youth, the verse of Hijab counsels men and .women to cut off their stares and shun leering and lecherousness

Philosophy of Hijab

point

As previously stated, one of the certain commandments of Islam is the necessity of covering. However, an important question is, 'What is the philosophy of Hijab? Why '?has Islam thus taken away the freedom of women? And, is not this an injustice

In reply, it must be said that the object of Islam in legislating Hijab is fortifying the holy foundations of family, preventing sexual deviations and their detrimental consequences, ensuring social health and security, facilitating the cleansing of the social environment, and decreasing moral corruption. Moreover, not only is this amount of limitation not disadvantageous to women, it is in the overall interests of .women, their children, husbands, and all members of the society

.In order to clarify this issue, I shall state several premises

First Point

We must bear in mind that women and men are two pillars of the society, and that ,individual welfare

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tranquility, and comfort is greatly based upon the health, security, and purity of our living environment. Thus, assuring the health, security, and purification of the environment from corruption is our mutual responsibility and we must cooperate and

.work together to attain these goals

Second Point

Women are delicate and exquisite creatures and are naturally fond of make-up, adornments, beauty, flaunting, ostentation, and charming others. They wish to take over the hearts of men with their allure; however, men crave variety and are very weak against their sexual desires. Their sexual desires are easily excited and they eventually lose control. When these unruly and rebellious desires are aroused, even .reason, law, and religion are generally useless in harnessing them

Everything about women is arousing to men—especially young men: their adornments, their pretty clothes, their delicate voices, their allure and coyness, their .bodies, hair, and even the warmth of their bodies can kindle this wild instinct

Third Point

There are many men in the society that cannot marry due to poverty, unemployment, low income, continuing education, military service, and a large number of other reasons. The tally of these individuals, who are at the juncture of adulthood and the outburst of sexual instincts, is rather high. The regretful situation of these people who .are part of the society cannot be disregarded

Considering the previous points, the following question arises: What is in the best interests of women—uninhibitedness and absolute freedom in dress and behavior or ”?observing Hijab and enduring some restrictions

In order to arrive at a correct answer, it is

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better that we consider two hypothetical communities and compare their pros and .cons

Community A

In this community, women have complete freedom regarding their apparel and their association with men. In order to satisfy their natural tendencies, they are flamboyant and gaudy, they leave their homes made-up, half-bare, and with beautiful, colorful, and voguish clothes. With absolute liberty, they socialize and consort with all sorts of .men in public places

They ravish the hearts of every male, intentionally, and unintentionally, with their scanty clothes, their beauty, and their allure and wherever they go, they drag behind themselves a caravan of hearts. Those that are not married inhabit cinemas, cabarets, dance parties, parks, and the streets until midnight hours in complete freedom. Furthermore, those who are married go wherever they want with or without .their spouses with the excuse of freedom as their right

In this community, boys and girls are free to associate with one another, become close friends, and even have sexual relationships. Men are also completely free to consort with women as they please. They can have relations with any willing woman or anyone they are able. Together they can go to theatres, nightclubs, parties, .wander the streets and places of ill repute, and indulge in all sorts of debauchery

The women of such communities are free in adornment, degeneracy, exiting their homes, associating with any men, and having sexual relations; however, these :freedoms come with a price and have the following consequences

Instability of the sacred foundations of family; indifference of men and women

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toward the home and family; suspicion of spouses towards one other and trying to police one another; family conflicts; abundance of illegitimate or vagrant children with no guardians; accruement of mental illnesses; increase of murder, crime, and suicide; escalation of the number of unmarried women and men; postponement of the age of marriage; indifference of young men and women toward establishing families; inclination of youths toward various moral corruptions and sexual deviations; upsurge of divorce statistics; and superabundance of men and women who must inevitably

.live alone and suffer loneliness

Cases of such societies with disrupted families are evident in the West. Put aside raw emotions and thoroughly contemplate the matter. Is such a community truly in the ?interests of women, men, youths

Community B

In this society, women have an active role on the stage of life. They occupy suitable jobs with necessary facilities and in this way perform their duties to the society. Like men, women have a great presence in schools, colleges, universities, research centers, hospitals, clinics, laboratories, legislative offices, government departments, and other important and suitable offices. They completely observe Hijab and covering —except their hands and faces. They do not apply make-up and adornments before entering public places and their place of work. They leave their homes covered, plain, and without cosmetics and they make their adornments, cosmetics, and allure .exclusive to their husbands and use them in the privacy of their own home

They accept these restrictions selflessly and in good will in order that the environment is free of

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deviation and corruption. They do this with regard to the state of youths and men who do not have the power to marry. They observe Hijab so that men do not become indifferent towards their own wives due to seeing the beauties of other women, and so that these men do not turn their hearty families into a scene of a battlefield with .excuses and quarrels

They accept this limitation so that young men and women—who are the children of these same women—are safe from corruption, sexual deviations, and mental illnesses; and so they may marry and establish a family at a suitable time and with the .availability of necessary resources and facilities

They accept this limitation to help fortify the foundations of family—a thing of which

they are also a part—and thus reduce the tally of divorce, living single, and distressed and guardianless children.

In this community, most families have good interrelations, the relationships of spouses are relatively genial, and there are fewer disputes. Moral corruption and sexual deviations are comparatively low among youths. Young men and women are interested in marriage and establishing the holy institution of family. The amount of divorces and single men and women is not high. There are fewer vagrant youths and children without guardians.

In this society, parents feel more assured of the purity of their children from immorality, sexual divergence, and mental disorders.

Is living in such a community in the better interests of women or the first? Any thoughtful person would regard the second community superior.

Islam

also regards living in the second community better and healthier. This is why it has legislated Hijab and has asked women to observe it and cover their adornments and beauties from non-mahram men.(۱)

The Prophet (S) has forbidden women to beautify themselves for males other than their husbands and has stated:

عن النّبی (ع) فی حدیث المناهی، قال: «و نهی أن تتزیّن لغیر زوجها، فإن فعلت کان حقّاً علی الله أن یحرقها بالنار.»

A woman must not adorn herself for any save her spouse, and if she were to do so, it would be a just reward for Allah to burn her in the Fires [of Hell].(۲)

Imam Muhammad Baqir ('a) has stated:

جابر بن یزید، قال: سمعت أبا جعفر محمّد بن علیّ الباقر (ع) یقول: «و لا یجوز لها أن تتطیّب إذا خرجت من بیتها.»

(A woman must not perfume herself when she wants to exit her house.(۳

:He has also stated

جابر بن يزيـد الجعفى، قال: سـمعت أبا جعفر محمّد بن علىّ الباقر (ع) يقول: «و لا يجوز للمرأه أن تصافح غير ذى محرم إلّا من وراء ثوبها.»

It is not permissible for a woman to shake hands with a non-mahram save over her (clothing.(۴

In order to cleanse the social environment, Islam does not suffice with legislating Hijab. In addition to this, it enjoins men to shun leering and to cast their eyes away .from watching non-mahram women

:The Quran states

قُل لِّلْمُؤْمِنِينَ يَغُضُّوا مِنْ أَبْصَارِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ ذَلِكَ أَزْكَى لَهُمْ إِنَّ اللَّهَ خَبِيرٌ بِمَا يَصْنَعُونَ

Tell the faithful men to shorten their glances and guard their private parts; this"

۱- - Surah Nur ۲۴:۳۱.

۲- - Wasa'il ush-Shi'ah, vol. ۲۰, p. ۲۱۲.

۳- - Ibid, p. ۲۲۰.

۴- - Ibid, p. ۲۲۲.

(is purer for them (it helps keep their purity). Surely, Allah knows all they do."(۱

:Imam Sadiq ('a) has stated

علىّ بـن عقبه، عن أبيه، عن أبى عبـدالله (ع) قـال: سـمعته يقـول: «النظره سـهم من سـهام إبليس مسـمومٌ، و كم من نظره أورثت حسره طويله.»

Looking at non-mahram persons is a poisonous arrow of the arrows of Satan and (many (such) gazes entail lingering regret.(۲

:He has also stated

عقبه، عن أبی عبـدالله (ع)، قال: «النظره سـهم من سـهام إبلیس مسـمومّ، من ترکها لله عزوجل لا لغیره أعقبه الله أمناً و ایماناً یجد طعمه.»

Looking at non-mahram persons is a poisonous arrow of the arrows of Satan and to whoever abandons it for Allah and none save Him, God shall bestow the pleasure of (security and faith.(۳

:Again he has stated

عن الکاهلی، قال: قال أبوعبدالله (ع): «النظره بعد النظره تزرع فی القلب الشهوه، و کفی بها لصاحبها فتنه.»

A look after a look nourishes lust in one's heart and is enough to cause strife (or (temptation) for its owner.(۴

:Noble Sadiq ('a) has also stated

قال الصادق (ع): «من نظر إلی امرأه فرفع بصره إلی السماء، أو غضّ بصره لم یرتدّ إلیه بصره حتّی یزوّجه الله من الحور العین.»

He who looks at a woman and immediately looks up to the sky or casts down his eyes, (Allah will wed him to a houri (in paradise) before his gaze levels again.(۵

:The Prophet of Allah (S) has declared

عن رسول الله (ص) قال: «من صافح امرأه حراماً جاء یوم القیامه مغلولاً، ثمّ یؤمر به إلی النّار.»

He who shakes hands with a non-mahram woman

.Surah Nur ۲۴:۳۰ – –۱
.Wasa'il ush-Shi'ah, vol. ۲۰, p. ۱۹۱ – –۲
.Wasa'il ush-Shi'ah, p. ۱۹۲ – –۳
.Ibid, p. ۱۹۲ – –۴
.Ibid, p. ۱۹۳ – –۵

(shall come chained on the Last Day and will then be cast into the Fire.(۱

:He stated elsewhere

قال رسول الله (ص): «من فاكه امرأه لا يملكها، حبسه الله بكلّ كلمه كلّمها فى الدنيا ألف عام.»

He who jests with a woman who is not his, for every word he has spoken to her in the (world, Allah shall imprison him for one thousand years.(۲

:Amir al-Mu'minin, 'Ali ibn Abu Talib ('a) has stated

عن علىّ (ع) قال: «لا يخلو بامرأه رجلٌ، فما من رجلٍ خلا بامرأه إلّا كان الشيطان ثالثهما.»

A man must not go into a secluded place with a woman, because no man goes into a (private place with a woman save that the third of them is Satan.(۳

Musa ibn Ja'far has cited from his forefathers from the Prophet of Allah (S) who :stated

موسى بن جعفر، عن آبائه (ع)، عن رسول الله (ص) قال: «من كان يؤمن بالله و اليوم الآخر، فلا يبيت فى موضع يسمع نفس امرأه ليست له بمحرم.»

He who has faith in Allah and the Last Day shall not sleep in a place where he hears a (woman breathing who is not mahram to him.(۴

Marriage and its Merits

point

The family is a small social unit that begins with the union of husband and wife and is fortified with the birth of children. Marriage is a natural need for humans, which is .(sanctioned by pronouncing the formula of the marriage contract (the marriage vows

Islam assigns great importance upon establishing the family and regards it as a holy event. Various Hadith consider family the

.Ibid, p. ۱۹۸ – -۱

.Ibid, p. ۱۹۸ – -۲

.Mustadrak al-Wasa’il, vol. ۱۴, p. ۲۶۵ – -۳

.Wasa’il ush-Shi‘ah, vol. ۲۰, p. ۱۸۵ – -۴

finest institution in existence. Imam Muhammad Baqir (‘a) has cited from the Prophet :(of Allah (S

عن أبی جعفر (ع) قال: رسول الله (ص): «ما بُنِی بناء فی الإسلام أحبّ إلی الله عزوجل من التزویج.»

No institution has been established in Islam that is more loved by Allah, the Honored, (the Glorified, than marriage.(۱

:(Imam Sadiq (‘a) has cited from the Prophet of Allah (S

عن أبی عبدالله (ع) قال: قال رسول الله (ص): «ما من شیء أحبّ إلی الله من بیت یعمر فی الإسلام بالنکاح، و ما من شیء أبغض إلی الله من بیت یخرب فی الإسلام بالفرقه، یعنی الطلاق.»

Nothing is more loved by Allah than a house that is populated through marriage and nothing is more hated by Allah than a house that is broken through separation (i.e. (divorce).(۲

Marriage is an invaluable Islamic tradition, the necessity of which the Holy Prophet (S) :and Immaculate Imams (‘a) have emphasized. Amir al-Mu’minin (‘a) has declared

قال أمیر المؤمنین (ع): تزوّجوا فإنّ رسول الله (ص) قال: «من أحبّ أن یتّبع سنّتی فإنّ من سنّتی التزویج.»

Marry because the Prophet of Allah (S) has stated: Those who wish to follow my (traditions must know that marriage is one of them.(۳

:The Prophet of Allah (S) has stated

قال رسول الله (ص): «النکاح سنّتی فمن رغب عن سنّتی فلیس منّی.»

(Marriage is my tradition and whoever forsakes my tradition is not of me.(۴

Islam does not regard marriage (and procreation) as an animalistic deed and it does not enjoin its followers to monastic existence and abandonment of marriage. On the contrary, it regards

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.Wasa’il ush-Shi‘ah, vol. ۲۰, p. ۱۵ – -۱

.Ibid, p. ۱۶ – -۲

.Ibid, p. ۱۷ – -۳

.Bihar al-Anwar, vol. ۱۰۳, p. ۲۲۰ – -۴

it as a way of purification [tazkiyah] and edification [tahdhib] of the soul, abstinence from sin, and proximity to Allah. Imam Sadiq (‘a) has stated:

قال أبوعبدالله (ع): «ركعتان يصلّيهما المتزوّج أفضل من سبعين ركعه يصلّيها عزب.»

Two rak‘ats (۱) prayer of a married person is superior to seventy rak‘ats prayer of an unmarried person.(۲)

The Holy Prophet (S) has stated:

قال النّبى (ص): «ركعتان يصلّيهما متزوّج أفضل من رجل عزب يقوم ليله و يصوم نهاره.»

Two rak‘ats prayer of a married person is superior to the worship of an unmarried man who spends his nights in prayer and his days in fast.(۳)

Imam Sadiq has cited from the Prophet of Allah (S):

عن أبى عبدالله (ع) قال: قال رسول الله (ع): «رُذّال موتاكم العزّاب.»

The worst of your dead are those who die without marrying.(۴)

Marriage and establishing a family is valuable according to Islam and has many merits, some of which are explained below.

۱. Instrument of Love and Friendship

In this turmoil imbued life we humans require peace, tranquility, and love. We all need a sympathetic confidant, supporter, and well-wisher who we can love and enjoy his or her sincere love, aid, and support in return. We each need a person who can be our partner in life—someone who is loyal, kind, and sympathetic in health and sickness, in prosperity and hardship, in happiness and despondency, in wealth and poverty, and .by and large in all circumstances

Who is better for meeting this need than a spouse and what place is better than the :warm camaraderie of family. Allah, the Exalted, states in the Quran

وَمِنْ

۱- -[.Rak'at is the basic unit of Salat, the compulsory daily Islamic prayer. [trans

۲- -.Wasa'il ush-Shi'ah, vol. ۲۰, p. ۱۸

۳- -.Wasa'il ush-Shi'ah, p. ۱۹

۴- -.Ibid, p. ۱۹

آیَاتِهِ أَنْ خَلَقَ لَکُم مِّنْ أَنفُسِکُمْ أَزْوَاجًا لِّتَسْکُنُوا إِلَیْهَا وَجَعَلَ بَیْنَکُم مَّوَدَّهً وَرَحْمَهً إِنَّ فِی ذَلِکَ لَآیَاتٍ لِّقَوْمٍ یَتَفَکَّرُونَ

And of His signs is that He has created for you, from yourselves, spouses that you" may gain peace through them and He has set among you love and compassion. Surely (in this there are signs for thoughtful people."(۱

۲. Instrument of Continence and Immunity from Sin

Humans naturally require sexual relations and release. Controlling sexual desires is challenging if they are not satisfied legitimately and they draw a person to deviation and sin. Thus, marriage is the best and healthiest implement for satisfying natural sexual instincts and immunization against deviation. The Prophet of Allah (S) has :stated

قال رسول الله (ص): «من أحبّ أن یلقی الله طاهراً مطهراً فلیَلْقَه بزوجهٍ.»

(Whoever wishes to meet Allah pure and immaculate must marry.(۲)

:(The noble Imam Sadiq ('a), has cited from the Prophet of Allah (S

عن أبی عبدالله (ع) قال: قال رسول الله (ص): «من تزوّج أحرز نصف دینه.»

(Whoever gets married has guarded half of their religion.(۳)

Noble Musa ibn Ja'far ('a) has cited from his forefathers who cited from the Prophet of :(Allah (S

موسی بن جعفر (ع)، عن النبیّ (ص)، قال: «ما من شابّ تزوّج فی حداثه سنّه إلّا عجّ شیطانه: یا ویلاه، یا ویلاه، عَصَم منّی ثلثی دینه، فلیتّق الله العبد فی الثلث الباقی.»

When someone marries when they are young, their devil cries: 'Woe unto me! Woe unto me! This youth has protected two thirds of their religion from me. So for the (remaining third this person must fear Allah and be His devout servant.'(۴)

Instrument of Physical and Mental Health .۳

Sexual

p: ۴۴

.Surah Rum ۳۰:۲۱ – -۱

.Wasa'il ush-Shi'ah, vol. ۲۰, p. ۱۸ – -۲

.Wasa'il ush-Shi'ah, vol. ۲۰, p. ۱۷ – -۳

.Bihar al-Anwar, vol. ۱۰۳, p. ۲۲۱ – -۴

desires and release are natural needs that bring about physical and mental health. Control and suppression of these needs strain the psyche and damage one's equilibrium. The origin of many mental disorders such as depression, despair, anxiety, phobia, pessimism, nihilism, distrust, and anger may be suppression of sexual instincts. Thus, timely marriage and legitimate sexual fulfillment can be considered a :key factor in physical and mental health. The Prophet of Allah (S) has stated

قال رسول الله (ص): «زوّجوا أياماكم؛ فإنّ الله يحسن لهم أخلاقهم، و يوسّع لهم فی أرزاقهم، و يزيدهم فی مروّاتهم.»

Wed unto each other your unmarried men and women; for then surely Allah shall improve their behavior, expand their livelihood, and increase their humaneness.(1)

4. Increase in the Well–being of the Social Environment

If individuals marry at the outset of their maturity, they shall love and depend on their families and become immune to many types of moral corruption. As a result, the statistics relating to rape, taking advantage of girls and women, fornication, sexual acts with members of the same sex, masturbation, and even addiction, murder, theft, and many other crimes will plummet. Timely marriage has a great effect upon the health and security of the environment. This is why Islam advises parents and caregivers to prepare the means of marriage for those who have not yet married. The Quran states:

وَأَنكِحُوا الْأَيَامَى مِنكُمْ وَالصَّالِحِينَ مِنْ عِبَادِكُمْ وَإِمَائِكُمْ إِن يَكُونُوا فُقَرَاء يُغْنِهِمُ اللَّهُ مِن فَضْلِهِ وَاللَّهُ وَاسِعٌ عَلِيمٌ

"And join your single men and women and your righteous bondservants in matrimony. If they are poor, Allah will enrich them

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1- - Ibid, p. 222.

of His bounty. And Allah is the Facilitator, the Omniscient."(1)

The Prophet of Allah (S) has declared:

عن النبیّ (ص) قال: «من حقّ الولد علی والده ثلاثه: يُحسِّن اسمه، و يعلّمه الكتابه، و يزوّجه إذا بلغ.»

A father has three duties toward his children: he must give them worthy names, teach them literacy, and wed them when they mature.(2)

5. Procreation

Islam favors procreation and regards it as an important objective of marriage. Imam

:(Muhammad Baqir ('a) has cited from the Prophet of Allah (S

عن أبی جعفر (ع)، قال: قال رسول الله (ص): «ما یمنع المؤمن أن یتّخذ أهلاً؛ لعلّ الله یرزقه نسمه تثقل الارض بلا اله الّا الله.»

What is wrong with a believer taking a spouse; it may be that Allah provides them with a child that vitalizes the world with (speakers of the adage of monotheism:) la ilaha (illallah.(۳

:The Prophet of Allah (S) has stated

قال النبیّ (ص): تناکحوا تکثروا؛ «فإنّی أباهی بکم الأمم یوم القیامه و لو بالسقط.»

Marry so you increase because surely I shall take pride in you, among the civilizations, (on the Day of Judgment, even (counting) miscarriages.(۴

Pleasure and Sensuality .۶

An important merit of marriage is legitimate sexual pleasure and gratification. Sexual acts bring about one of the highest of worldly pleasures and, according to Islam, are not only decent and legitimate acts if done with the intention to become closer to Allah [qasd-e qurbat] but also good deeds that have rewards [thawab]. Furthermore, sexual .relations are even obligatory in some circumstances

Conditions of the Marriage Contract

:Marriage is a sacred contract that is realized with the synthesis of several factors

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.Surah Nur ۲۴:۳۲ - -۱
.Makarim al-Akhlaq, vol.۱, p. ۲۵۳ - -۲
.Wasa'il ush-Shi'ah, vol. ۲۰, p. ۱۴ - -۳
.Bihar al-Anwar, vol. ۱۰۳, p. ۲۲۰ - -۴

Consent of the man and woman

Permission of the woman's father or grandfather (assuming that she is previously .۲ (unwed

Determination of the Mahr (Mahr can be real estate, cash, credit, or any other type .۳ (of property, whether abundant or meager)(۱)

Vocalization of the marriage formulas (by the man and woman or their . ۴ (representative—someone who is acquainted with the Arabic language

After vocalization of the marriage formulas (marriage vows), the individual lives of the woman and man turn into familial life, and thus the man and woman gain new .responsibilities

Mutual Rights and Responsibilities of Spouses

point

According to Islam, the family is a small social unit that makes up the society. This small unit is formed of a woman and a man and is extended by producing children. Members of a family have a close relationship and common goals and interests. The happiness of each member depends on the happiness of the whole family. After marriage, men and women must consider all the members of the family not only their .individual selves

The relationship between a husband and wife is not like that of neighbors or friends; it :is much more extreme—on the verge of unity. The Quran expresses this nicely

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُم مِّنْ أَنفُسِكُمْ أَزْوَاجًا لِّتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُم مَّوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِّقَوْمٍ يَتَفَكَّرُونَ

And of His signs is that He has created for you, from yourselves, spouses that you" may gain peace through them and He has set among you love and compassion. Surely in this there are signs for thoughtful

Mahr is a specified (at time of marriage) amount that a man must pay his wife as a – –۱

[.wedding gift. [trans

(people."(1

The statement, 'He has created for you, from yourselves, spouses', indicates the intensity of the connection and relationship. In another verse regarding husbands and :wives it states

...هُنَّ لِبَاسٌ لَّكُمْ وَأَنتُمْ لِبَاسٌ لَّهُنَّ...

(They (women) are a garment for you (men) and you are a garment for them."(2"

Portrayal of wives and husbands as one another's clothing reflects their close connection and relationship since clothes are the closest of things to one's body and are greatly needed in order to protect one from heat and cold, to cover imperfections, and confer tranquility and beauty. Husbands and wives are also such in respect with .each other and must necessarily be so

Islam greatly favors fortification of the structure of family and decent relations between spouses, and thus it has designated specific rights and responsibilities for each. These rights and responsibilities may be summarized within two main categories: common and exclusive. Both of these categories will be elucidated in the .succeeding sections

Common Rights and Responsibilities

point

:The rights and responsibilities that pertain to both husband and wife are as follows

Sociability .1

Wives and husbands must behave properly with one another and observe fine :etiquette. The Quran declares

...وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ...

(And consort with them (your wives) in honor and equity [ma‘ruf].”(۳“

The word ma‘ruf, which has been used in this sentence, is the opposite of munkar (meaning wicked) and means behavior that is approved by both reason and religion. .Even though this verse is addressed to men, women also hold this obligation

Husbands and wives must be kind, well-mannered, cordial, cheerful, compassionate, ,helpful, sympathetic, courteous, just, truthful, supportive

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.Surah Rum ۳۰:۲۱ – -۱
.Surah Baqarah ۲:۱۸۷ – -۲
.Surah Nisa’ ۴:۱۹ – -۳

trustworthy, loyal, well-wishing, and polite with one other. Various Hadith also emphasize sociability and geniality between spouses. The Prophet of Islam (S) has :stated

عن النبیّ (ص)، قال: «أکمل المؤمنین إیماناً، احسنهم خلقاً، و خیارکم خیارکم لنسائه.»

The most complete persons in faith are those who have the best manners and the (good among you are those who are good with their wives.(۱

Attracting the Attentions of One’s Spouse .۲

Husbands and wives must observe each other’s desires in cleanliness, clothing, the style of their hair and beard, etc. Islam advises women at home to apply cosmetics and adorn themselves for their husbands, wear their best clothes, be neat and clean, :and apply fragrant perfumes. Imam Sadiq (‘a) has declared

عن أبی عبدالله (ع) قال: «جاءت امرأه إلی رسول الله (ص)، و قالت: یا رسول الله! ما حقّ الزوج علی المرأه؟»—فی حدیث إلی أن—قال: «و علیها أن تتطیّب بأطیب طیبها، و تلبس أحسن ثیابها، و تتزیّن بأحسن زینتها، و تعرض نفسها علیه غدوه و عشیّه، و أکثر من ذلک حقوقه علیها.»

A woman came to the Prophet of Allah (S) and asked, ‘What are the rights of a

husband regarding his wife?' He replied, 'Her duty is to perfume herself with the best scenting of her perfumes, and to dress in the nicest of her attires, and adorn herself with the finest of her adornments, and thus offer herself to her husband morning and night; and more than these are his rights regarding her.(٢)

A man also has these responsibilities toward his wife; he must be neat and clean, perfumed and well-dressed, he

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١- - Bihar al-Anwar, vol. ٧١, p. ٣٨٩.
٢- - Wasa'il ush-Shi'ah, vol. ٢٠, p. ١٥٨.

must style his hair and face regularly, and make himself handsome for his wife. Imam Ja'far ibn Muhammad ('a) has cited the Prophet of Allah (S) through his fathers:

جعفر بن محمـد، عن أبيه، عن جـدّه على بن الحسـين، عن علىّ (ع)، قال: قال رسول الله (ص): «ليتهيّأ أحـدكم لزوجته كما تتهيّأ زوجته له»—قال جعفر بن محمّد (ع):—«يعنى يتهيّأ بالنظافه.»

'Each of you must prepare yourselves for your wives; just as your wives prepare themselves for you.' Then Imam Ja'far ('a) stated, 'This means that each of you must be neat and clean.'(١)

The Prophet of Allah has stated:

قال النبىّ (ص): «حقّ المرأه على زوجها أن يسـدّ جوعتها، و أن يستر عورتها، و لا يقبح لها وجهاً، فإذا فعل ذلك فقد و الله أدّى حقّها.»

The rights of a wife regarding her husband are that he must provide her nourishment and clothing and must not appear to her with an ugly appearance. If he does these, by Allah, surely he has satisfied her rights.(٢)

Hasan ibn al-Jahm has said:

حسن بن الجهم، قـال: رأيت أبـالحسن (ع) اختضب، فقلت: —جعلت فـداك—أختضـبت؟ فقال: «نعم، إنّ التهيئه ممّا يزيـد فى عفّه النسـاء، و لقـد ترك النساء العفّه بترك أزواجهنّ التهيئه»،—ثمّ قال: —«أيسرّك أن تراها على ما تراك عليه إذا كنت على

غیر تهیئه؟» قلت: لا. قال: «فهو ذلک.»

I saw Imam Musa ibn Ja‘far (‘a) who had dyed his hair. I said, ‘May I be sacrificed for you! You have dyed your hair!?’ He replied, ‘Yes. Surely the preparations of a husband for his wife increases her modesty [‘iffat]. Truly

p: ۵۰

.Mustadrak al-Wasa’il, vol. ۱۴, p. ۲۹۶ – -۱
.Bihar al-Anwar, vol. ۱۰۳, p. ۲۵۴ – -۲

some women have abandoned their modesty because their spouses abandoned preparation.’ Then he asked, ‘Do you like to see your wife the way you appear to her when you have not prepared yourself?’ I answered, ‘No.’ He declared, ‘She feels the same.’(۱)

Pleasure and Gratification .۳

Even though seeking pleasure and sexual gratification is not the whole aim of marriage, it is one of the chief goals and initial motivators for marriage and has a considerable effect in strengthening the structure of the family and preserving a good relationship between spouses. Hence, gratification is one of the responsibilities of husbands and wives. Husbands and wives must be prepared to give each other sexual pleasure and gratification. Whenever one party is inclined to sexual acts, the other must prepare themselves and not bring excuses. The Prophet of Islam (S) would instruct women as follows:

أبو بصیر عن أبی جعفر (ع) قال: قال رسول الله (ص) للنساء: «لا تطولنّ صلاتکنّ لتمنعنّ ازواجکنّ.»

Do not lengthen your Salat to forestall your husbands (from sexual pleasure).(۲)

Husbands and wives must not only think about their own pleasure in lovemaking; rather, they must also consider their partner’s pleasure and gratification. This is because regular sexual satisfaction has a significant effect on good relations between spouses and bolsters the constitution of their family. Addressing men, Amir al-

:Mu’minin (‘a) has declared

عن عليّ (ع) قال: قال رسول الله (ص): «إذا أتى أحدكم امرأته فلا يعجلها.»

(Whenever you approach your wives, do not hurry (in lovemaking).(۳

:According to a Hadith, Imam Ridha (‘a) has stated

عن الرضا (ع) ـــ فی حدیث

.Wasa’il ush-Shi‘ah, vol. ۲۰, p. ۲۴۶ – -۱

.Ibid, vol. ۲۰, p. ۱۶۴ – -۲

.Mustadrak al-Wasa’il, vol. ۱۴, p. ۲۲۱ – -۳

إلی أن ـــ قال: «و اشتهت منک مثل الذی تشتهیه منها.»

(Your wives expect from you similar to that which you expect from them.(۱

Rearing and Edifying Children .۴

Caring for children, providing for their health, training their bodies and souls, and educating them in knowledge and morality are shared duties of fathers and mothers. This necessitates their cooperation and mutual deliberation and diligence. A father has a greater responsibility in this matter, but the role of a mother is more sensitive .and constructive

Exclusive Duties of Husbands and Wives

a. Men’s Obligations

point

In addition to their common duties, due to their particular genesis, men have specific :responsibilities, some of which are enumerated herein

Supervision of the Family .١

In Islam, the responsibility of guardianship, supervision, and management of the family have been set on the shoulders of men. Allah, the Exalted, has stated in the :Holy Quran

الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاء بِمَا فَضَّلَ اللّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنفَقُواْ مِنْ أَمْوَالِهِمْ فَالصَّالِحَاتُ قَانِتَاتٌ حَافِظَاتٌ لِّلْغَيْبِ بِمَا حَفِظَ اللّهُ...

Men are the protectors and supervisors of women because of the advantage Allah" has given some over others and because they support them from their means. Therefore righteous women are those who are humble and who guard (in their husband's presence and absence) his rights and secrets, which Allah has ordained to (be guarded."(٢

Family affairs must be performed by mutual agreement, consultation, and cooperation of the husband and wife; however, this small society, like any other society, cannot run well without a prudent and influential supervisor and manager. Most families that lack a manager do not have a desirable situation. Hence, either the wife must take on the

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.Ibid - -١

.Surah Nisa' ۴:۳۴ - -٢

.responsibility of supervising and safeguarding the family or the husband

Again due to the particular genesis of men and women, since most men are generally more rational, as opposed to emotional, than women; are more prepared to manage and supervise the family; and are better equipped to bear hardships, the burden of supervising the family has been set on their shoulders. Conversely, women are more emotional and passionate than men. Therefore, it is in the best interests of the family that women accept the supervision of men and perform important affairs after

consulting with their husbands and, in the event of a disagreement, accept their .husbands' judgment

It must be noted that male supervision does not mean that the man can selfishly manage the family by exploiting his power and do whatever he wants and prohibit other members of the family from expressing their opinions. This is because a prudent manager and supervisor knows very well that no institution, great or small, may be administrated by force and selfishness; especially in view of the fact that the household must be a place of peace, tranquility, and nurturing for the children who .are to be the future architects of the society

In point of fact, the intent of male supervision is that correct planning for administrating the family must be first and foremost and these plans must be made through consultation and an exchange of views of other members of the family; through procuring their cooperation in managing affairs; through coming to a

mutual understanding in decisions and resolving problems; and finally, having the last .word in disagreements

:The supervisory duties of men may be summarized in three categories

۱. Providing for the expenses of the family, making plans through consultation, and managing the incomes and expenditures of the family

۲. Safeguarding, protecting, and looking after all members of the family

۳. Overseeing religious, moral, and cultural issues of family members, guiding them towards improvement and spiritual and physical development, and preventing social and ethical corruption within the family

۲. Providing Financial Support [nafaqah]

In Islam, it is a man's duty to provide for all living expenses of the family. Ishaq ibn

:('Ammar asked the noble Imam Sadiq ('a

سأل إسحاق بن عمّار أباعبدالله (ع) عن حقّ المرأه على زوجها قال: «يشبع بطنها، و يكسوها، و إن جهلت غفر لها.»

'What are the rights of a wife upon her husband?' He replied, 'He must fill her stomach and provide her clothing and if she makes a mistake, he must forgive her.'(۱)

۳. Honor, Gentleness, and Lenience

A man must be appreciative of his wife and regard her as a blessing from God. He must honor her, be gentle with her, forgive her mistakes, and refrain from strictness and stubbornness. Islam regards this attitude a wife's right and a husband's duty. Imam Sajjad ('a) has stated:

قال عليّ بن الحسين (ع): «و أمّا حق الزوجه: فأن تعلم أنّ الله جعلها سكناً و أُنساً، فتعلم أنّ ذلك نعمه من الله عليك فتكرمها و ترفق بها، و إن كان حقّك عليها أُوجب، فإنّ لها عليك أنّ ترحمها؛ لأنّها أسيرتک، و تطعمها و تكسوها، و إذا

۱- Makarim al-Akhlaq, vol. ۱, p. ۲۴۸.

جهلت عفوت عنها.»

The rights of a wife are that you must know that Allah has made her (an instrument of) peace and friendship; then you must know that she is a blessing from Allah upon you, so honor her and be lenient and gentle with her. Even though you also have rights upon her, you must be kind and forgiving toward her because she is captivated by you. And you must provide her food and clothing and when she makes a mistake, you must forgive her.(۱)

۴. Religious and Moral Guidance

Men are obligated to make provision for religious, ethical, and belief related issues of their wives. Either they must help them in this matter themselves, or they must provide the instruments for their learning. A man must be careful of his wife's morality

and conduct. He must encourage her to virtuous deeds and praiseworthy behavior and dissuade her from evil deeds and indecent behavior. In short, he must free her .from the fires of Hell and invite her to Heaven

This is one of the results and requirements of supervision, which is the responsibility :of men. The Quran proclaims

يَا أَيُّهَا الَّذِينَ آمَنُوا قُوا أَنفُسَكُمْ وَأَهْلِيكُمْ نَارًا وَقُودُهَا النَّاسُ وَالْحِجَارَةُ...

O people of faith! Save yourselves and your families from the Fire whose fuel is" (humans and stones."(2

b. Women's Obligations

Women also have heavy responsibilities towards their husbands, some of which have been indicated in various Hadith. All these responsibilities can be epitomized in one :phrase: taking good care of one's husband. Amir al-Mu'minin ('a) has stated

قال علىّ (ع): «جهادُ المرأه

.Bihar al-Anwar, vol. ۷۴, p. ۵ – -۱

Surah Tahrim ۶۶:۶ – -۲

حُسن التّبعُّل.»

(The jihad of a woman is taking good care of her husband.(1

taking good care of one's husband) in this Hadith is a concise) حُسن التّبعُّل The phrase term, however, it has an extensive meaning and encompasses all virtues. Regarding a :woman who takes good care of her husband, it can be said

She accepts the supervision and administration of her husband and defends and supports it. She guards her husband's station in the family and among the children. She consults with him in important issues. She obeys his commands. If in some

circumstances he deems it unwise that she leaves the house and does not permit it, .she acquiesces

With good manners, virtuous behavior, and kindness she heartens her husband and turns her home into a focus of serenity and love. In times of trouble and difficulty she aids her husband and consoles and encourages him. She is trustworthy of her .husband's property and avoids waste, extravagance, and thriftlessness

She encourages him to do good deeds. At home she wears her best and most attractive clothes; she adorns herself and applies cosmetics as her husband wishes, and shows her willingness and inclination openly and at all times. She works hard to manage the household and train the children well. She to faithful in her husband's .secrets, trustworthy, loving, compassionate, etc

It can be said regarding such a woman that she takes good care of her husband and .her actions are on the same tier as Holy Jihad

In Hadith several issues are

.Bihar al-Anwar, vol. ۱۰۳, p. ۲۵۲ - -۱

:greatly emphasized

۱. Obeying one's husband in religiously permissible issues

۲ . Submission to one's husband in sleeping together, sexual pleasure, and lovemaking; except where religiously prohibited

۳. Trustworthiness and preservation of the property of one's husband

۴. Preserving one's modesty and chastity

۵. Getting permission from one's husband in exiting the house

:Imam Sadiq ('a) has cited the Prophet of Allah (S) through his fathers

عن أبی عبدالله (ع) عن آبائه (ع) قال: قال النبیّ (ص): «ما إستفاد امرئ مسلم فائده بعد الإسلام أفضل من زوجه مسلمه تسرّه إذا نظر إلیها، و تطیعه إذا أمرها، و تحفظه إذا غاب عنها فی نفسها و ماله.»

No Muslim man has gained more benefit after becoming Muslim than through a Muslim wife who gives him a feeling of happiness when he looks at her, and obeys him when he gives her a command, and guards herself and his property when he is (absent.(۱

:Imam Muhammad Baqir ('a) has stated

عن أبی جعفر (ع) قال: جاءت امرأه إلی النبیّ (ص) فقالت: یا رسول الله! ما حق الزوج علی المرأه؟ فقال لها: «أن تطیعه، و لا تعصیه، و لا تصدّق من بیته إلّا بإذنه، و لا تصوم تطوّعاً إلّا بإذنه، و لا تمنعه نفسها و إن کانت علی ظهر قتب، و لا تخرج من بیتها إلّا بإذنه.»

A woman came to the Prophet (S) and said, 'O Messenger of Allah! What are the rights of men upon their wives?' He replied, 'She must obey him and not be disobedient. She must not give charity from his house without his permission. She must not perform voluntary fasts

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.Wasa'il ush-Shi'ah, vol. ۲۰, p. ۴۱ – –۱

without his permission. She must not deny him her body, even if she is on the back of (a camel. And she must not exit her home without his permission.(۱

The Mahr of Women and its Philosophy

point

When the marriage vows are recited, the husband gives his wife a gift that is called Mihr or Sadaq. The word Mihr does not appear in the Holy Quran, however, the word :Sadaq has been employed. The Quran states

وَ آتُواْ النَّسَاء صَدُقَاتِهِنَّ نِحْلَةً فَإِن طِبْنَ لَكُمْ عَن شَيْءٍ مِّنْهُ نَفْسًا فَكُلُوهُ هَنِيئًا مَّرِيئًا

And give unto women their Sadaq willingly and if they freely remit any part of it to“ (you, consume it in pleasure and delight.”(٢

No specific amount has been determined for Sadaq—it is a matter that is decided by :mutual agreement between the woman and man. Imam Baqir (‘a) has stated

قال ابو جعفر (ع): «الصداق ما تراضيا عليه من قليل او كثير، فهذا الصداق.»

(Sadaq is something that the betrothed agree upon, whether slight or considerable.(٣

There is no minimum amount set for Mahr although various Hadith suggest that it not :be excessively low. Imam Sadiq (‘a) has cited Imam ‘Ali (‘a) through his forefathers

جعفر بن محمّد، عن آبائه، عن عليّ (ع) قال: «إنّي أكره أن يكون المهر أقلّ من عشره دراهم؛ لئلّا يشبه مهر البغى.»

I do not like Mahr to be less than ten dirham, so it does not resemble the payment of a (prostitute.(٤

Additionally, no maximum amount has been specified for Sadaq. Even though a high Mahr is not forbidden, Islam does not regard setting high Mahr and

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.Ibid, p. ١٥٨ – –١

.Surah Nisa’ ٤:٤ – –٢

.Wasa’il ush-Shi‘ah, vol. ٢١, p. ٢٤٠ – –٣

.Ibid, p. ٢٥٣ – –٤

competing in Mahr to be prudent and has advised against it. Amir al-Mu’minin (‘a) has :declared

عن عليّ (ع) قال: «لاتغالوا بمهور النساء فتكون عداوه.»

Do not set substantial Mahr for women and do not compete in its excess for this

(causes enmity.(1)

We must not be so uncompromising in determining Mihr so as to hamper the marriage of young adults. We must refrain from excess and determine an appropriate and moderate Mahr that befits the standing of engaged couples and the social station of their families and is also compatible with the financial means of the husband-to-be.

Furthermore, there is no limitation in the type of Mahr—it can be any type of property; such as gold, silver, real estate, currency, domestic appliances, carpets, dishes, cars, clothes, and any other thing that can be owned. However, it is in the good interests of the woman that, if feasible, she sets her Mahr to be real estate, gold, silver, and such. This is so its worth does not decrease over time and can be her reserve.

Mahr can be either granted immediately or be given on credit. It can be the responsibility of the husband or any other person who agrees to pay it, and depends on the mutual agreement of the couple.

If the Mahr was agreed to be paid on demand, the woman may request it before consummation of her marriage. If the husband has the means to pay it, he must do so. If he declines, the wife may abstain from sexual relations. This

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۱-- Ibid, p. ۲۶۶.

refusal is not considered nushuz(1) and thus her husband cannot withhold her financial support.

If the Mahr is on credit and a specific time has been agreed for reimbursement, the woman may not demand it before its time and if no date has been set, the wife may ask for it at any time. If the husband has the means to pay, he must immediately do so.

The true owner of Mahr, regardless of the type of property, is the wife. No one has

the right to use or take possession of her property without her consent; even her father, mother, or husband. The profits of a woman's properties also belong to :herself. The Prophet of Allah (S) has stated

قال رسول الله (ص): «إنّ الله ليغفر كلّ ذنب يوم القيامه إلّا مهر إمرأه، و من اغتصب أجيراً أجره، و من باع حراً.»

Surely Allah will forgive any sin on the Day of Resurrection save the sin of one who misappropriates the Mahr of a woman or the wages of a hired person, or who sells a (free person (as a slave).(٢

:(It was asked of Imam Musa ibn Ja'far ('a

احمد بن ابى نصر قال سأل ابوالحسن الاول (ع) عن الرجل يزوج ابنته، اله ان يأكل صداقها؟ قال: «لا، ليس ذلک له.»

May a father consume the Mahr of his daughter?' He replied, 'No, he does not have' (such right.'(٣

If Mahr is on credit and the responsibility of the husband, he must pay it on demand .and as soon as possible

Regarding a man who had married

Nushuz is when a spouse does not perform his or her obligatory marital duties - -١ toward the other. These duties have been enumerated in the previous chapter. [.[trans

.Wasa'il ush-Shi'ah, p. ٢۶۶ - -٢

.Ibid, p. ٢٧٢ - -٣

:a woman but did not intend to pay her Mahr, Imam Sadiq ('a) declared

فضيل بن يسار، عن أبى عبدالله (ع) فى الرجل يتزوّج المرأه و لا يجعل فى نفسه أن يعطيها مهرها: فهو زنا.

(This is [considered] fornication.(١

:Imam Sadiq ('a) has also declared

عن أبی عبدالله (ع) قال: «من أمهر مهراً ثمّ لا ینوی قضاءه کان بمنزله السارق.»

He who designates Mihr for his wife but does not intend to honor it is equivalent to a (thief.(٢

:The noble Imam Sadiq ('a) thus cited the Prophet of Allah through his forefathers

عن الصادق، عن آبائه (ع) عن النبیّ (ص) – فی حدیث المناهی – قال: «من ظلم امرأه مهرها فهو عند الله زنا، یقول الله عزّوجلّ یوم القیامه: عبدی! زوّجتک أمتی علی عهدی فلم توف بعهدی، و ظلمت أمتی. فیؤخذ من حسناته فیدفع إلیها بقدر حقّها، فإذا لم تبق له حسنه، أمر به إلی النار بنکثه للعهد، إنّ العهد کان مسؤلاً.»

He who wrongs his wife regarding her Mahr is considered by Allah a fornicator. On the Day of Judgment, Allah, the honored, the glorified, shall say unto him: 'O servant! I married My servant unto you according to My covenant; however, you were not faithful to My covenant and oppressed My servant.' Therefore, He shall take his benefactions and good deeds [hasanat] as much as is her right and give them unto her and if he is left with no benefactions, He will order him cast into the Fire because (he did not honor his pledge and surely all will be questioned regarding their pledges.(٣

The Philosophy of Mahr

Some

.Ibid, p. ٢٦٦ – -١
.Ibid, p. ٢٦٦ – -٢
.Wasa'il ush-Shi'ah, p. ٢٧٦ – -٣

may question the legislation [tashri'] of Mihr and declare: 'Men and women physically and instinctually need each other. Because of this they are attracted to one another and consequently get married. Taking this into consideration, what is the reason for Mahr? With the legislation of Mahr women are debased and downgraded to the level

’.of a trade commodity. Men buy women with Mihr like one buys a slave

In answer, it must be said: In Islam neither are women considered commodities or slaves, nor is Mahr deemed a trade price; rather, Mihr is a gift or endowment that a husband bestows upon his wife in order to revere her and demonstrate his devotion .to her

In order to explicate the issue and further clarify the philosophy of the legislation of .Mihr two points shall be enumerated

First point: Even though men and women physically need each other and naturally :desire one another, each of them has special characteristics

One characteristic of women is their delicacy and beauty which is one aspect of men’s attraction to them. The most important factor of women’s influence is their beauty; something for which men have a unique regard. A woman intrinsically [fitri] understands this and thus utilizes various means of beautification and adornment in .order to appear more beautiful and penetrate deeper into a man’s heart

A second quality of women is that even though they have sexual needs similar to men, they are stronger in masking their instinctive desires. They appear free from desires and usually do not

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propose to men. A woman prefers to permeate the heart of a man and cause him to become enamored with her so that he asks for her hand in marriage. Makeup, flirtatiousness, coyness, and coquettishness of women originate from this issue. Thus, a woman deeply desires to enthrall the heart of a man and capture his love and .devotion

However, men are weak against their desires and cannot conceal their inner passions. This is why they propose to women. Men desire and yearn for women and pursue them. When a man realizes that a woman desires his devotion, he reveals his adoration and welcomes her coyness and coquetry. In order to prove his love, he uses

any means necessary: he spends money, buys her gifts, and holds marriage and .wedding parties

The contract of Mahr is one such means. In order to prove his affection, honor his .wife, and attain her heart, he bestows upon her a gift called Mahr

and introduces it صَدُقاتِهِنَّ The Quran also expresses Mahr in this manner, as it is called as a Nihlah, which means gift or endowment. This is one of the advantages and .philosophies for the legislation of Mahr

Second Point: The contract of Mahr gives the woman a relative amount of peacefulness and ease of mind, so that she may perform the duties that genesis has placed upon her. Even though when a man and woman are married they pledge to be faithful to one another and collaborate and cooperate in fostering and training their

children, contrary instances have been observed where the man does not perform his duties and refrains from providing living expenses and helping to correctly rear their children whereas nature has put specific responsibilities upon women in childrearing .that cannot be avoided

This issue can be elucidated with an analogy: men are like the planter and women, the plantation. He plants his seed in the woman's womb and subsequently he is technically free to go his own way. Canonically, legally, and morally, men are responsible toward their wives and children. However, because nature has not given the man any immediate responsibilities, he can leave his wife with the child in her womb and "fly free". Of course, most men are not this way; but even so, it is possible .and this happens on occasion

However, a woman is not free in this manner and is obliged to endure her arduous term of pregnancy, delivery, and the ensuing convalescence. After giving birth, she cannot cast aside her feeble and blameless child or leave it hungry. She is compelled to nurse and nurture her baby. Due to her intense maternal affection and the bond

that is then created, she cannot leave her child after the nursing phase and has no .option but to care for her child

During this time, she needs a means of livelihood—home, food, clothes, etc. What can this hapless woman do in such a situation? Naturally, women should be apprehensive about such possibilities. It might be that one reason for the

divine legislation of Mihr is to foster in women a reasonable amount of security and ease as regards such likelihoods. If Sadaq is real estate or hard cash women can take .it and use it when in need and if it is on credit she may demand it at any time

In short, Mihr may be described as an instrument of assurance and backup for .marriage

:Imam Sadiq (‘a) has stated

عن الصادق (ع) قال: «إنّما صار الصداق على الرَّجُل دونَ المرأه–و إن كان فعلهما واحداً–لانّ الرجل إذا قَضَى حاجته منها قام عَنها و لَم يَنتَظر فراغها فَصار الصداق عَلَيه دونُها لذلك.»

The reason that [the responsibility of] Sadaq has been placed upon the man not the woman—even though their actions are the same—is that when the man’s needs are satisfied he rises from her and does not await her release; for this reason Sadaq is his (responsibility not hers.(۱

Nafaqah (Financial Support) and its Philosophy

point

According to Islam providing for the expenses of the family, including the expenses of his spouse, is a husband’s duty. A man must finance all his partner’s expenses, even if she is wealthier than he. The necessity of nafaqah is one of the certain commandments of Islam. It is the right of a wife. If a husband does not pay it, it remains a debt upon him and must be paid on demand. If he refuses to pay nafaqah, .an Islamic religious magistrate may divorce them at the wife’s request

Imam Muhammad Baqir (‘a) has declared:

أبوبصير، قال: سمعت أباجعفر (ع) يقول: «من كانت عنده

۱- - Wasa’il ush-Shi‘ah, vol. ۲۱, p. ۲۶۸.

امرأه فلم يكسها ما يوارى عورتها، و يطعمها ما يقيم صلبها كان حقّاً على الإمام أن يفرّق بينهما.»

[Regarding] he who has a wife but does not provide her adequate clothing and food, it [is the duty of an Imam to separate them.(۱)

Ishaq ibn ‘Ammar has stated:

إسحاق بن عمّار، قال: قلت لأبى عبدالله (ع): «ما حق المرأه على زوجها الذى إذا فعله كان محسناً؟ قال: يشبعها، و يكسوها، و إن جهلت غفر لها.»

I asked Imam Sadiq (‘a), ‘What rights does a wife have upon her husband, which if he fulfills he will be virtuous in this respect?’ He replied, ‘He must provide her food and clothes and forgive her indiscretions.’(۲)

Nafaqah consists of all needs of a family, with regard to available resources and conventions [‘urf] of the time, place, and social level of the family. Some of these needs are enumerated below:

۱. Food, fruit, and other such needs according to standard requirement

۲. Seasonal clothing according to the needs and social level of the family

۳. Carpeting and beds

۴. Cooking, eating, and drinking utensils

۵. Cooling and heating appliances

۶. Living quarters that provides comfort for the family and is in accordance with the

social standing of the family

Personal care and medical expenses .۷

Hygienic and cosmetic products .۸

Criticism

point

The issue of nafaqah has been criticized such: Legislation of this commandment has dishonored women and through it, they are considered stipendiary servants who are given food, board, and clothing for their round the clock exertions and onerous .housework

Response

In answer, it must be argued that this criticism is

.Wasa'il ush-Shi'ah, p. ۵۰۹ – –۱

.Ibid, p. ۵۱۰ – –۲

derived from the enmity or benightedness of the critic because, according to Islam, housework is not the duty of a wife; even regarding fostering, tending, and nursing children, no responsibility has been placed upon a wife. She can choose to do nothing and ask for a servant or she can ask for wages for performing housework and fostering and nursing her children. Even so, her nafaqah has been placed upon her .husband

According to this, how can one say that women are dishonored and have been ?considered stipendiary servants

It is worthy of note that even though housework and house management is not the duty of women according to the law of Islam, it is considered morally crucial and

حُسن التّبعُّل essential for familial affection and intimacy. It is mentioned in Hadith as taking good care of one's husband) which was mentioned previously, in chapter five.) A mistress of the house who is interested in the endurance and warmth of the family endeavors as far as she is able to foster and edify her children and efficiently manage her home; albeit in willingness and relish not due to legal compulsion and coercion. The wives of the Prophet (S), his daughter Zahra, and the wives of the Immaculate .Imams and Saints of Islam were such

Criticism

point

Even though men and women need each other to satisfy their ardor, have children, and raise them, why are all of the family's expenses, even the wife's personal expenditures a husband's responsibility? Why should husbands work and toil while

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wives eat and sleep and do not even do housework? Is this not unfair to husbands? Why should women be their husbands' dependants so they are forced to obey them and tolerate their bullying and restrictions? Is it not better for both women and men to ?work and jointly pay for the family expenses

Response

.Several points must be expounded in order to refute this criticism

Nature and genesis has placed heavy burdens of responsibility upon women, who .۱ are compelled to carry them out; such as pregnancy, giving birth, nursing their babies, nurturing, fostering, and training and edifying their young. These demanding responsibilities require great time and effort to be performed well, and are not .compatible with working extensively outside one's home

.Women have monthly cycles and require rest during these periods .۲

Housework and child care are not women's duties either canonically or legally; .۳

however, according to ethics and mores, they cannot eschew these desiderata because they are considered essential to familial life and greatly affect the beauty .and repose of the home and hearten husbands

Women are delicate, elegant, and beautiful beings and these are their most . ۴ important instruments of attraction and charm for their husbands. Working in difficult and tiresome jobs outside their homes harms the elegance and loveliness of women, which in turn decreases their attractiveness for their husbands; this is neither to women's nor men's benefit. If both men and women work to pay for living expenses, they will have to compete with men and therefore might be

required to accept arduous jobs such as laboring in mines, ironworks, and automobile, petrochemical, and cement industries, civil engineering, railroads, trucking, and .grueling graveyard shift jobs

If women and men were equally obligated to work and provide living expenses, .naturally, such problems could arise

Accordingly, it is clear that women cannot be forced to work like men in order to pay for expenses. Thus, Islam has made men accountable for the family's livelihood, so that women may fulfill their genetic duties at their own leisure and with ease of mind, endeavor in fostering and edifying their children, preserve their cheeriness and attraction, maintain their place in their spouse's hearts, and make their home a place .of love and tranquility

Hence, with love of wife and children, peace of mind, and gratified with their lives, men endeavor more diligently to produce the family's livelihood and bestow it upon .their partners with willingness and genuine sincerity

In consequence, pragmatically, with true regard to the interests of men, women, and their children, and to fortify the cornerstones of married life, Islam has given men the duty of providing for the family's nafaqah and has not irrationally sided with one party

.and imposed on the other

It is in the interests of both women and men that nafaqah be the charge of men and women be the dependants of men. Because men are attracted to and fond of women, they desire to spend for them, and not only are they without resent, they are completely satisfied and feel good

about themselves when they behave in this way. The financial dependence of women is not a drawback and it does not make them stipendiary servants; rather, it strengthens the backbone of marriage. Basically, in familial life, a man's earnings belong to the family, they are utilized for acquiring necessities; therefore, financial independence or the lack thereof is not an issue.

Here, it must be pointed out that the aim of Islam in making men responsible for nafaqah is not to thwart employment of women, make them consumers and 'stay-at-homers', and obstruct them from having jobs and responsibilities outside their homes. Instead, Islam intends that women not be forced to work and provide living expenses; however, with regard to her abilities, preferences, and facilities, and the mutual agreement of spouses, a wife can choose an acceptable job and perform her responsibilities outside her home, and thus have an independent income.

Naturally, her income belongs to herself and she need not use it for family expenditures. A virtuous woman would, however, with purity of heart, like her husband, prefer to donate it to the family so that it would have a part in managing and improving familial life and increase serenity and love within the entire family.

Women's Inheritance in Islam

point

In Islam, men and women have equivalent rights, including but not limited to working, acquiring wealth, possession of property, and the concept of inheritance. The Quran declares:

لِّلرِّجَالِ نَصيِبٌ مِّمَّا تَرَکَ الْوَالِدَانِ وَ الأَقْرَبُونَ وَ لِلنِّسَاء نَصِيبٌ مِّمَّا تَرَکَ الْوَالِدَانِ وَ الأَقْرَبُونَ مِمَّا قَلَّ مِنْهُ أَوْ

p: ٧٠

کَثُرَ نَصِيبًا مَّفْرُوضًا

For men there is a share from what their parents and close relatives leave, and for" women there is a share from what their parents and close relatives leave, be it little or considerable; a definite share."(1)

This verse makes it clear that, like men, women inherit and have a definite share. The verses regarding inheritance were revealed to the Prophet (S) at a time that women in the world, and especially among the benighted Arabs, were bereft of worth or status. In the Age of Ignorance, men were ashamed when they heard that their newborn child was a girl and many innocent baby girls were even buried alive.

The possessions of the deceased went to their sons or eldest son only, and girls were deprived of inheritance altogether unless a father determined an amount in his will or his sons took pity upon their female siblings and gave them something. Thus, when the verse of inheritance gave women a definite share in the legacy, some people were astonished. Regarding the conditions revolving around this verse's revelation, Imam Fakhr Razi has written:

Ibn 'Abbas gives account that Aus ibn Thabit Ansari died and left behind his wife and three daughters. Two of his male cousins by the names of Sawid and 'Arafjah, who were his inheritors, came and took all his possessions. Aus' wife came to the Prophet (S) and told her story and said, 'Aus' two inheritors left nothing for my daughters and I.' The Prophet (S) said, 'Return

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1- - Surah Nisa' ٤:٧.

home until I see what God instructs.' Subsequent to this was the revelation of the aforementioned verse, which shows that both men and women inherit.(1)

Indeed, by legislating women's inheritance in such times, Islam has honored women and has considered their status as inheritors equal to that of men. However, in Islamic law, the share of women's inheritance is half that of men's. Allah, the Almighty, has :stated in the Quran

يُوصِيكُمُ اللّهُ فِى أَوْلاَدِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ الأُنثَيَيْنِ فَإِن كُنَّ نِسَاء فَوْقَ اثْنَتَيْنِ فَلَهُنَّ ثُلُثَا مَا تَرَكَ وَ إِن كَانَتْ وَاحِدَةً فَلَهَا النِّصْفُ وَ لأَبَوَيْهِ لِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ مِمَّا تَرَكَ إِن كَانَ لَهُ وَلَدٌ فَإِن لَّمْ يَكُن لَّهُ وَلَدٌ وَ وَرِثَهُ أَبَوَاهُ فَلأُمِّهِ الثُّلُثُ فَإِن كَانَ لَهُ إِخْوَةٌ فَلأُمِّهِ السُّدُسُ مِن بَعْدِ وَصِيَّةٍ يُوصِى بِهَا أَوْ دَيْنٍ آبَآؤُكُمْ وَ أَبناؤُكُمْ لاَ تَدْرُونَ أَيُّهُمْ أَقْرَبُ لَكُمْ نَفْعاً فَرِيضَةً مِّنَ اللّهِ إِنَّ اللّهَ كَانَ عَلِيما حَكِيمًا

Allah charges you in regard with your children: a son's share is equal to the share of" two daughters; if the [children] are [only] daughters and two or more, their share is two thirds of the legacy, and if there is only one daughter, her share is half [of the legacy]; and each of the parents inherit one-sixth of the legacy if the deceased had children, and if the deceased had no children and the parents are the only heirs, the mother inherits one-third; if the deceased had brothers, the mother inherits one-.sixth; [all this is] after executing the will and settling the debts of the deceased

p: ٧٢

.Tafsir-e Kabir, vol. ٩, p. ١٩۴ - -١

You do not know which of your parents and children benefit you the most. This is (Allah's injunction; surely Allah is All-knowing, All-wise." (١

According to Islam, sons inherit twice that of daughters, brothers twice that of sisters, and husbands inherit twice that of wives, except regarding the father and mother of the deceased: if they are living at the time of their child's death, each equally receives .one sixth of the deceased's legacy

Criticism

point

The law of inheritance has been thus faulted: Why have women been discriminated

?against, with allotment of half the share of men? Is this not prejudice and oppression

Response

The difference in the inheritance shares of women and men must not be considered dissociate from other laws and commandments and discussed and judged independently. It is true that, regarding inheritance, Islam has differentiated between men and women. However, this differentiation is due to realistic perception and the financial obligations that men bear. In Islam, men have to bestow Mihr upon their wives. All the expenses of a wife and children must be paid for by men. Thus, men must work diligently to provide all living expenses whereas women are not required to .work and pay for such living expenses

If a woman has wealth, she is not required to spend it for her family; she may save it if she desires. All possessions that she gains through work, Mihr, gifts, inheritance, or any other legitimate method are solely hers and she can amass it all if she wishes. This is

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.Surah Nisa' ۴:۱۱ – –۱

in contrast to men, who are legally and canonically required, in addition to bestowing Mihr, to provide all living expenses of their spouses and all other members of the .family

Thus, women are partners in all the possessions of their husbands, including their husband's inheritances, which are indirectly given to them; while a woman's inheritance is absolutely and unquestionably hers only. Because of this, Islam .intended to assist men by formulating the laws of inheritance in this manner

With regard to this fact, can one still say that Islam discriminates against women in ?regard to inheritance

If you fairly examine the matter, you will affirm that not only have women not been

treated in a biased manner, they have been supported. Various Hadith indicate this :reason. Imam Ridha ('a) has declared

عن الرضا (ع) قال: علّه إعطاء النساء نصف ما يُعطى الرجالَ من الميراث؛ لأنّ المرأه إذا تزوّجت أخذت و الرجل يُعطى؛ فلذلك وفّر على الرجال. و علّه أخرى فى إعطاء الذكر مثلى ما تُعطى الأنثى فى عيال الذكر إن احتاجت، و عليه أن يعولها، و عليه نفقتها، و ليس على المرأه أن تعول الرجل، و لاتؤخذ بنفقته إن احتاج فوفّر على الرجل لذلك و ذلك قول الله: الرِّجالُ قَوّامُونَ عَلَى النِّساءِ بما فَضَّلَ اللهُ بَعضَهُم عَلى بَعضٍ و بِما أَنفَقُوا مِن أَموالِهِم....»

The reason that women receive half the share of men from inheritance is that when a woman marries, she takes and the man gives; for this reason, men have a larger share. Another reason is that a wife is the dependant of

her husband and he must pay for her expenses, but a wife is not required to pay her husband's expenses or financially support him in need. Hence, men have a larger share and this is [the interpretation of] the declaration of Allah: Men are the protectors and supervisors of women because of the advantage Allah has given some over (others and because they support them from their means(۱

:Hisham ibn Salim narrates

هشام بن سالم، قال: إنَّ أبى العوجاء قال للأحول: ما بال المرأه الضعيفه لها سهم واحد و للرجل القوى المؤسر سهمان؟ قال: فذكرت ذلك لأبى عبدالله (ع). فقال: «إنَّ المرأه ليس عليها عاقله، و لا نفقه، و لا جهاد-و عدّد أشياء غير هذا- و هذا على الرجال؛ فلذلك جُعل له سهمان و لها سهم.»

Ibn Abil'uja' said to Ahwal, 'Why should a weak woman get one share while a wealthy man gets two shares?' He answered, 'I asked this same question of Imam Sadiq ('a), he answered: 'Aqilah (blood price)(۲), nafaqah, and Jihad—and some other things—are not obligatory for women, they are for men; thus, two shares have been (designated for men and one for women.'(۳

Islam and Polygamy

point

Islam allows polygamy and permits men, under specific circumstances, to have at .most four wives at any given time

Polygamy was customary before Islam and was not abrogated with the coming of Islam; instead, Islam has corrected and set various conditions for the practice. The .principle was permitted, but polygamy was limited to four wives

In authorizing polygamy, Islam does not have the intention of siding

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۱- - .Bihar al-Anwar, vol. ۱۰۴, p. ۳۲۶; Surah Nisa' ۴:۳۴

۲- - This is the blood price that must be paid by the family of unaccountable individuals, such as minors or mentally incapacitated persons, due to injuries or fatalities that are caused by such people. [trans.]

۳- - .Bihar al-Anwar, vol. ۱۰۴, p. ۳۲۷

with men and encouraging them to form harems or overindulge in sexual desires and debauchery or to overlook the rights of women and oppress them. Rather, Islam's aim is to uphold a range of women's natural rights—the right to marriage, forming a family, and having and rearing legitimate children. Of course, the rights of men have also been kept in mind. The permitting of polygamy, while observing prescribed conditions, is a social necessity and in the ultimate interests of both women and men .and in order to elucidate this matter, the following two premises are indicated

First premise: Even though female births are not more than that of males, statistics show that the number of women who are available for marriage is often more than :men. There are two reasons for this

First, the fatalities of men, especially young men, exceed fatalities of girls and women. This becomes evident by referring to the casualties of incidents such as war, falling from heights, getting buried under debris, drowning, mine and industry mortalities, car accidents, work related accidents, etc. Because of these accidents, which are not few, the equilibrium between men and women is lost and the ratio of women to men

increases. This is evident in the human casualties of recent wars, such as the wars of Iraq and Iran, America and Iraq, Russia and Afghanistan and their internal wars, Serbia and Bosnia, and other wars and acts of aggression that occur all over the globe. The human death toll in these battles

is monstrously high and the majority of deaths concerns men and youths that either had not married or had married recently before their demise. Now consider the increase of women over men as a result of these wars.

Second, some scientists hold that women's resistance to diseases is higher than that of men. Studies of the deaths of children, adolescents, and young adults affirm this theory. The average lifespan of women is longer than men. Statistics show a higher rate of widowed women than widower men.

Thus, the number of single women who want and need to marry is higher than the number of single men who need and desire marriage. We all have seen many widowed women who wish to remarry a desirable man but cannot due to the circumstances. On the other hand, there are not many unmarried men who wish to marry that cannot find a woman willing to marry.

Second premise: One of the natural rights of all human beings is the right to marriage and formation of a family; just as humans have the right to have jobs, homes, health and hygiene, food, and clothes, they also have the right to marriage. All humans, both males and females, have the right to marry, enjoy familial peace and love, develop lasting emotional attachments, and bring forth and raise legitimate children. As human beings, women have this right. Thus, social laws must be regulated in such a manner that this natural right is readily available to all.

In short, in every

society there are a large number of unmarried women who need and desire to marry

and if they do not, they may be driven to deviation and corruption. The number of single men who are willing to marry widows is not high enough to appease the requirements of every society, due to the fact that young men usually prefer to marry previously unmarried women, who are already more than enough to satisfy their numbers. On this account, what must widows who wish to remarry do? In this case, the society must either accede to sexual freedom, corruption, and unrestraint, such .as has been accepted in the West or, as in Islam, must follow a polygamous system

In order to resolve this problem to the advantage of widowed women, who wish to marry and perhaps start a family, and prevent social corruption and sexual .deviations, Islam has allowed polygamy

Another justification for polygamy is sterility or incapacity of a man's spouse. In the event that a woman is completely sterile or pregnancy is harmful to her due to an incurable illness, and her husband feels the need for a child, both reason and .conscience give assent to his right to remarry

Additionally, if one's wife is ill and cannot satiate the sexual needs of her husband, remarrying becomes a necessity for the man. In order to resolve this problem, the man either has to divorce his first wife or marry again without divorcing her. The second option is to the advantage of the first

p: ۷۸

.wife because she does not become destitute and alone in her illness

Nevertheless, it must be stressed that in light of the fact that the most important benefit of marriage is familial love, tranquility, and affection, monogamy is far preferable to polygamy. Moreover, Islam does not encourage men to remarry to appease their concupiscence and to sacrifice familial love and peace for evanescent pleasure. The reason that Islam acquiesces to polygamy is due to a social necessity .and in order to protect the rights of widowed women and women who need to marry

Conditions of time, place, societies, and personal resources and facilities differ

regarding this issue. If there is no personal or social necessity for polygamy, monogamy is preferable and if polygamy is required in a society or for some persons, women and men must cooperate in attaining this goal. A man who intends to remarry for one of these reasons must adhere to his financial and physical means and in the event that he does not have the means to manage two households, he must forego remarriage. Then, if he has the means, he must discuss the issue with his wife and prove to her the necessity for remarriage, assure her that he will observe justice and .equality among his wives, and obtain her consent in any fair manner possible

The duty of such a wife is self-sacrifice in order to ensure personal and social necessities; she must set aside harsh emotions, mind the predicament and needs of her husband or

p: ٧٩

widowed women, and above all else, she must think of God's satisfaction and thus, .allow her husband, his legitimate request

If remarriage results through mutual consent of husband and wife, it will be far less .problematic for everyone involved

Conditions for Polygamy

Islam tolerates polygamy; however, it has placed various conditions for it that, in :practice, are very difficult to observe. These are as follows

١. Possession of sufficient financial resources to provide all expenses of each family

٢. Physical prowess for completely satisfying the sexual desires of each wife

٣. Observance of complete justice and equality among each family in every way without any favoritism

:Allah, the Almighty has declared in the Quran

...فَانكِحُواْ مَا طَابَ لَكُم مِّنَ النِّسَاء مَثْنَى وَثُلاَثَ وَرُبَاعَ فَإِنْ خِفْتُمْ أَلاَّ تَعْدِلُواْ فَوَاحِدَةً...

then marry [other] women, who seem virtuous to you, two or three or four; and if…" (you fear that you cannot do them justice, then one [only]…"(۱)

This verse gives permission for polygamy on the condition that there is no likelihood of refraining to observe fairness and justice, which is rather unfeasible and very hard to attain.

A man who has more than one wife is obligated to observe equality, justice, and fairness among his wives in the amount, type, and quality of nafaqah, sexual enjoyment and intercourse, and even in mannerism. It is the duty of polygamous men to behave comparably in all events, even if their wives are different in age, beauty, character, social status, and other virtues and perfections.

It is clear that completely adhering to justice and fairness is quite challenging and

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۱- - Surah Nisa' ۴:۳.

few men can be sure about their ability to shoulder such heavy responsibilities whereas the Quran makes it quite clear that if they doubt their ability to behave equally and justly with their wives, they should suffice themselves with one wife.

Consequently, polygamy in Islam is a very onerous and high-liability undertaking, something that most men are not competent enough to accomplish.

Divorce in Islam

point

Islam tolerates divorce and separation of a husband and wife under specific conditions; however, Islam regards divorce as abhorrent and reprehensible. Thus, it has been censured in Hadith. Imam Sadiq ('a) has declared:

عن أبی عبدالله (ع) قال: «إنَّ الله عزّ و جلّ یحبّ البیت الذی فیه العرس، و یبغض البیت الذی فیه الطلاق، و ما من شیء أبغض من الطلاق.»

Verily, Allah loves a house in which a wedding is held and hates a house in which a divorce is conducted and there is nothing more hateful than divorce.(1)

Noble Sadiq ('a) has elsewhere announced:

عن أبی عبدالله (ع) قال: «ما من شیءٍ اُحلّه الله أبغض إلیه من الطلاق، و إنّ الله یبغض المطلاق الذّواق.»

Among that which Allah has made permissible there is nothing He hates more than divorce and Allah hates a man who divorces and marries many women.(2)

He has also stated:

عن أبی عبدالله (ع) قال: «بلغ النبی (ص) أنّ أبا أیّوب یرید أن یطلّق امرأته فقال رسول الله: إنّ طلاق امّ أیّوب لحوب، أی إثم.»

When the Prophet of Allah heard that Abu Ayyub (Ayyub's father) intended to divorce his wife, he declared: The divorce of Umm Ayyub (Ayyub's mother

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۱- - Wasa'il ush-Shi'ah, vol. ۲۲, p. ۷.
۲- - Ibid, p. ۸.

is a sin.(1)

Imam Muhammad Baqir ('a) cited from the Prophet of Allah (S):

عن أبی جعفر (ع) قال: قال رسول الله (ص): «أوصانی جبرئیل علیه السلام بالمرأه حتی ظننت أنّه لا ینبغی طلاقها إلّا من فاحشه مبیّنه.»

Gabriel ('a) commended wives to such an extent that I presumed divorce is not permissible unless a wife performs an explicit act of unfaithfulness and infidelity.(2)

Noble Sadiq ('a) had stated:

عن الصادق (ع) قال: «تزوّجوا و لا تطلّقوا؛ فإنّ الطلاق یهتزّ منه العرش.»

Marry and do not divorce because surely divorce shakes the very Throne of God

(['Arsh].(3)

:The Prophet of Allah (S) has proclaimed

قال رسول الله (ص): «ما أحبّ الله مباحاً كالنكاح، و ما أبغض الله مباحاً كالطلاق.»

(Allah loves no permissible like marriage, and Allah hates no permissible like divorce.(4)

Islam holds divorce as an extremely ugly and vile act, which must be avoided within the bounds of possibility as it even rocks the very Throne of God. Even though it has not been forbidden, for various reasons, it is severely condemned. In order to prevent :divorce, Islam campaigns against its causes, some of which are enumerated below

One influential factor for divorce is the disheartenment of a husband for his legitimate wife and his fondness and affection towards non-mahram women. The chief instrument for this is lack of adequate Hijab among women and leering in men. When a man looks upon a woman who is more beautiful and attractive than his own wife he may become infatuated with her and become disheartened with his wife. Little by little

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.Ibid, p. ۸ – -۱

.Makarim al-Akhlaq, vol. ۱, p. ۲۴۸ – -۲

.Ibid, p. ۲۲۵ – -۳

.Mustadrak al-Wasa'il, vol. ۱۵, p. ۲۸۰ – -۴

he makes familial life bitter by finding faults, seeking excuses, and picking quarrels, .which might ultimately lead to divorce

In order to keep this from happening, on the one hand, Islam enjoins women to observe Hijab, cover their attractions from men, and refrain from being alluring for anyone but their own husbands. On the other hand, Islam directs men to abstain from looking at, and joking and bantering with non-mahram women. If their eyes happen .upon a non-mahram woman, they must not linger and immediately look away

Another agent for divorce is indifference of spouses towards one other and apathy and lack of passion in fulfillment of the sexual needs of one another. Many divorces .and deviations occur when a husband or wife is not sufficiently sexually gratified

To prevent this, Islam instructs women to wear their best clothes when at home, make themselves up according to their husbands' wishes, and display themselves with ardent fervor. Moreover, Islam charges men to observe cleanliness and personal hygiene, style themselves, and show a handsome and warm demeanor for their .wives

Furthermore, Islam advises both women and men that when making love and performing sexual acts, they must not only think of their own pleasure and release .but seek to give pleasure and gratification to their partner also

A third catalyst for divorce is misconduct, discourteousness, carping, picking quarrels, and stubbornness in a husband, wife, or both. Statistics show that the prime reason .for most divorces is behavior incompatibility of spouses

Islam strives to pre-empt these factors and strengthen

p: ۸۳

the cornerstones of the holy institution of family by prescribing various rights and responsibilities for men and women. In addition, it advises against selfishness, egocentricity, autocracy, and recalcitrance, and advocates tolerance, forgiveness, .and resolving differences with reason, fairness and affection

The moral obligations of both women and men have been explicated in detail in .various books on ethics, but some of these have been indicated in chapter five

Islam has also anticipated the need for a team of arbitrators to resolve the disputes of spouses and preclude divorce. This team consists of two mediators; one chosen by the wife's family, and one by the husband's. They may be of the couple's family or :unrelated. The Quran states

وَ إِنْ خِفْتُمْ شِقَاقَ بَيْنِهِمَا فَابْعَثُواْ حَكَمًا مِّنْ أَهْلِهِ وَ حَكَمًا مِّنْ أَهْلِهَا إِن يُرِيدَا إِصْلاَحًا يُوَفِّقِ اللّهُ بَيْنَهُمَا إِنَّ اللّهَ كَانَ عَلِيمًا خَبِيرًا

And if you fear a breach between the two, then choose an arbitrator from his people" and an arbitrator from her people. If they both desire reconciliation, Allah shall effectuate concord among them. Surely, Allah is All-knowing, All-aware."(١)

In order to bring about reconciliation, the team of arbitrators arranges a meeting with the wife and husband. They unearth the problem, hear out both sides with punctiliousness and fairness and advise, in friendship and love, each person regarding their mistakes and shortcomings. They remind each of the spouses of their responsibilities. Then they enjoin the couple to forgiveness, tolerance, observance of marital duties, and determination to fortify the holy institution of their marriage and family.

١- - Surah Nisa', ۴:٣۵.

They also warn them of the detrimental effects of discord and separation. In this manner, they restore harmony among the pair.

However, it must be expressed that the reconciliation brought about by Islamic arbitrators is different from the settlement that results from the force of law. Judicial settlement is like the placating of two partners or neighbors or two persons who are hostile towards one another by obstructing them from encroaching upon each other's rights, whereas the reconciliation brought about by the team of arbitrators has nothing to do with judicial constraint; rather, it results from rectifying rancor, uprooting the source of the disputes, endeavoring to create mutual understanding, consolidating familial love, heartening the couple regarding their life together, and normalizing the relations between them.

The merits of this method over the modern judicial method are obviously far superior. If, however, after careful scrutiny and necessary action, the arbitrators realize that the conflicts are excessively deep-seated and that the flames of marital love and

affection have been completely quenched and there is no hope for concord after encouraging forgiveness and forbearance, they may leave the couple to their own devices or they advise them to seek a divorce.

Another instrument that may prevent divorce or at least forestall it is the payment of Mihr. A man who has paid his wife's Mihr, does not have the right to take it back, and if he has not, he must pay it completely before divorce. The Holy Quran states:

وَ إِنْ أَرَدتُّمُ اسْتِبْدَالَ زَوْجٍ مَّكَانَ

p: ۸۵

زَوْجٍ وَ آتَيْتُمْ إِحْدَاهُنَّ قِنطَارًا فَلَا تَأْخُذُواْ مِنْهُ شَيْئًا أَتَأْخُذُونَهُ بُهْتَاناً وَ إِثْماً مُّبِيناً* وَ كَيْفَ تَأْخُذُونَهُ وَ قَدْ أَفْضَى بَعْضُكُمْ إِلَى بَعْضٍ وَ أَخَذْنَ مِنكُم مِّيثَاقًا غَلِيظًا

"And if you desire to take a wife instead of a [current] wife and have given her much wealth, do not take back any part of it; would you take it back with slander and blatant sin. And how shall you take it while you have taken pleasure of each other and after they have taken from you a strong pledge (at the time of marriage)"(۱)

Mihr is the canonical and lawful right of women and they can collect it in any way possible. If the husband has not given it, he must pay it before the divorce. If it is a large enough amount, it can to some extent impede divorce, especially for people who are not financially well-off.

Another factor is keeping and fostering children and providing for their expenses, which are both the duty of men. In the event that the couple's conjugal relationship is normal and the husband and wife live together, women mostly handle the responsibility of fostering children. This gives men a better opportunity to work and provide family expenses.

However, if they are separated by divorce, the husband must take custody of their children and rear them (in addition to providing their expenses) and jointly accomplishing these two endeavors is very difficult. Additionally, children need motherly affection and this is a need that a man cannot deliver himself. This

.Surah Nisa', ۴:۲۰-۲۱ – –۱

is why if a father contemplates the matter well and examines the consequences and .difficulties of such an action, he usually is discouraged from getting a divorce

Consequently, the existence of children and the responsibility of fostering them may be considered a support for the persistence and consolidation of the family institution .and an obstruction for divorce

Another factor is the necessity for two righteous witnesses. Islam necessitates the presence of two righteous witnesses when the formula of divorce is recited because it must be recited correctly, which is not achievable by just anyone. Also, the two righteous witnesses must be present when the formula is recited so they may bear .witness to the recitation if necessary in the future

Because a reciter of the divorce formula and two righteous witnesses are not easily .available and require time to find, men are impeded from a hasty divorce

In the meantime, it is possible that the husband sees reason and attenuates his resentments and stubbornness, thinks well about the downsides of divorce and its future complications, and thus changes his mind. Well-wishing friends and advisers can help in this matter. Even after all the necessary conditions are accumulated, the reciter of the divorce formula and the witnesses do not carry out the divorce immediately. They endeavor to resolve differences and make peace among the couple and delay the divorce as long as they deem necessary to give the man and woman more time to think about their future and change their minds. Because Islam is

.opposed to divorce, it attempts to prevent it in any manner possible

Finally, after all the conditions of divorce are fulfilled and the process completed,

Islam does not consider the marriage terminated; it has determined a duration called 'iddah(1) in which after a revocable divorce a man may return to his previous marriage by mutual consent without having to recite the formula of marriage and determine .Mihr anew

Islam favors the continuance of marriage to such degree that even after the divorce it gives the couple an opportunity, for the duration of 'iddah, to contemplate well and .return to one's spouse if they both consent

The Philosophy of Divorce

Some might criticize the principle of divorce thus: If divorce is truly hated by Islam, as has been previously stated, why has it not prohibited it? Essentially, how is the union of legitimacy and detestability possible? Why has Islam permitted divorce and what is ?its philosophy

In answer it must be said: Even though divorce is hateful and ugly, sometimes it is a necessity that cannot be avoided. For instance, surgical removal of parts of the body is painful and abhorrent but it is crucial in certain conditions and is to the benefit of humans; such as when a person has cancer. If enduring the marriage is torturous and unendurable for the husband and wife and the problem cannot be solved in any other .way, divorce may be the best solution

For example, one of these instances is where the fires of a husband's love and affection for his spouse

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۱- - The 'iddah of a revocable divorce is the duration of three menstrual cycles of a .woman after divorce

are completely extinguished. Here, the woman has fallen from her beloved status of attractiveness and the foundations of the family are in ruins. A home that does not have love is cold, dark, and sinister; not only has it lost its tranquility in the eyes of the .wife and husband, it is a forbidding prison and fiery hell

Matrimony is a natural union of a man and woman. It is completely different from all other social contracts such as transactions, leases, mortgages, and peace treaties. They are wholly social and contractual with no instincts and nature involved whereas marriage is a natural union that has its roots in the essence and instincts of couples and stems from natural needs and desires. Marriage results from the inner attraction .of a man and woman and their desire for unification, linkage, and unanimity

This attraction has been instilled differently in each gender. For men it manifests as love and affection, desire and possession of the female individual. For women it exhibits as self-beautification, allure, and captivation of a man's heart. Men want to possess their beloved and women want to be their husbands' beloved and attain their .hearts

The foundations of family are grounded on these two principles and if each part of a couple achieves their inner desires the institution of family becomes warm, pleasant, and beautiful. Men are heartened by their family and work hard to secure the ease and welfare of the family. Women consider themselves happy and successful and endeavor diligently in

.taking good care of their husbands, children, and home

One the other hand, if a husband does not have affection towards his legitimate wife (or vice versa) and despises seeing and associating with her, and if the wife feels that she has fallen from her status of beloved and that her husband does not like her, the family has lost two of its key pillars and is considered dilapidated and ruined. Living in such a cold and broken family is exacting and painful for both women and men and its continuance in not to either's advantage. In such a state of affairs, even though Islam despises divorce, it is regarded as the best solution and thus allows it. Hence, the .legitimization of divorce is for such cases

Another item is lack of behavioral compatibility: when a man and woman have incongruent morals and attitudes or unlike beliefs. They might both be selfish, spiteful,

inflexible, and fight continually; they may not listen to reason or advice or refuse to adjust and rectify themselves. Living in such a family is grueling and agonizing and maintaining it is neither to the woman's advantage nor the man's. In such instances .divorce seems to be the best solution and thus Islam authorizes it

As one can see, there are some cases in which divorce is a social necessity and the .best solution; hence, it cannot be prohibited

One might say: Even if we accept the necessity of divorce in some cases, why then is the law regarding divorce so

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general? It gives any capricious man permission to divorce, with the merest of excuses, expelling his unfortunate wife, who has expended her youth, energy, health, and spirit in her disloyal husband's house from her cherished home and taking another wife soon after. Is not allowance of such divorces oppression towards ?women

In reply it is said: Islam is also exceedingly opposed to capriciousness and inhumane divorces. It campaigns extensively against its causes, has determined conditions and .rules for divorce, and has set obstructions that can to a great extent prevent divorce

If, however, for any reason a wife falls from her cherished status and becomes hated by her husband, what must be done? The wife knows that she is not her husband's sweetheart and the mistress of the house, and that her husband dislikes her. This painful occurrence causes the greatest humiliation and anguish for a woman. Is it right to forcefully keep such a woman in wedlock with laws and prevent her from ?divorce

A woman can be kept in wedlock with the force of law and the man forced to pay her nafaqah; however, no laws can create love, which is the backbone of marital life, between the couple. Even though Islam loathes divorce, it seems to be the best .solution to some problems

It might be asked: If divorce is necessary and the best answer to some problems, why is it specific to men, and why do women not have sanction to divorce? These feelings may also originate in women. A

woman may lose her love for her husband and abhor continuing their conjugal relationship. In such a situation it can be said: Because there is no love, in essence, their familial life has ended and the wife must have the right to divorce her husband .and proclaim the termination of their marriage

In answer, it is said: A wife's disinterestedness cannot be considered the end of marital life; rather, it is a sign of her husband's shortcomings and faults or his negligence regarding performing his nuptial duties and caring for his wife. The key to a woman's love and affection is in her husband's hands. If a man truly loves his spouse and desires her plentifully, performs his duties regarding his wife, and rectifies his behaviors, usually the wife gains high spirits, hope, and love for her husband and .endeavors to retain her husband's heart indefinitely

Thus, if a woman is unenthusiastic toward her life and husband, it is the fault of her husband. In such a situation, divorce is not necessary; the husband must be informed of his duties and the delicate and subtle art of caring for a wife, so that he reconsiders his ways, speech, and manners, and strives to gain his wife's heart in any method .possible and give her hope for a better future

It may be asked: What must a wife do if her husband beats her, does not provide her nafaqah, makes life hard on her, does not correctly perform his sexual duties, torments and harasses

her, curses and swears at her, and even refrains from divorcing her? Do you tell her to have patience and "grin and bear it" until her death arrives? Why have women not been given the right to divorce in such cases, so that they may be freed of their

?torturous prison

In answer it is said: Islam is based upon justice, fairness, and human rights; thus it never allows or approves of such indecent and oppressive behavior. Islam greatly opposes such mannerisms and defends the rights of women.

In such cases, a woman must approach the team of arbitrators and ask them to advise and council her husband and induce him to observe justice and fairness, and to perform his duties. If they are successful, she continues her life with him and if he does not see the light and amend his ways, she must advance her complaint to a canonical Islamic judge or family court.

The judge summons the offending husband and demands that he refrain from oppression and abuse and that he perform his duties. If he does not accept, he is obligated to divorce her. If he refuses to do so, the judge himself divorces them and forcefully takes the wife's rights from her husband.

Section Two: The Rights and Duties of Women in the Form of Questions and Answers

Introduction

point

Divine decree requires that life continue within all echelons of creatures and animals. This was not feasible with a single sex, rather, pairs were necessary. The two genders were essential for the propagation of the human species. Meaning that some must

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be 'male' and others 'female'. Thus, women and men were created in conformance with the noble designs of creation with similar human and natural characteristics, but plainly different physical, emotional, and spiritual traits, and accordingly with particular rights and duties.

Islam views both men and women from the perspective of their humanity and regards both as noble and superior beings for whose creation God Almighty has

praised Himself. According to the exigencies of human creation and for the continuance of human existence, He has put various responsibilities upon us. However, these differing obligations and the varying rights based upon them have produced some ambiguities for us; such that the minds of some perceive a number of .these laws as prejudiced and regard others opposed to freedom

In the previous section I have replied to these controversies and have discussed freedom, Hijab, marriage and divorce, inheritance, Mahr, nafaqah, and other topics from various aspects. However, in this section I shall employ a different method. Specifically, using questions that were asked of me, I shall directly address the questions of my readers and answer some of their questions regarding the status and standing of women, their social, political, and cultural activities, housewifery, art, freedom, lifestyle, natural and acquired rights, and other issues in the hopes that they .will be beneficial

- ?Why are most of your works oriented around the character and status of women

Reply: Basically, my strategy in choosing the subject for each book I have written is twofold: one is societal necessity, which

I understand from appraising the society, and the other is the lack of a good book on the subject that can resolve this necessity. It does not happen much that I see a good book on a subject and desire to write a book on that subject. I go after subjects that are needed and do not have books available or if they do, they are somehow .incomplete. Almost all my books are such

The first book I wrote was Dadgustar-e Jahan (The World's Executor of Justice), which I wrote in the year AH ۱۳۴۶ (AD ۱۹۶۷). In those years, the issue of the Baha'i and the campaigns against them was prevalent. There were questions regarding the Imam of the Age ('a) which was an especially important issue for youth. I became aware of this need at the time and gathered and read the existing books on the matter. I realized that even though there were good books on the topic, there was no

complete work which could answer the needs of youth and seekers of knowledge. .Thus I thought of writing the book

The books I have written on the subject of women include Ayin-e Hamsardari (The Art of the Marriage Relationship), Ayin-e Tarbiyat (The Art of Training and Edification), Islam va Ta'lim va Tarbiyat (Islamic Education and Edification), Intikhab-e Hamsar (Choosing a Spouse), and Banu-ye Nimunah-ye Islam (The Model Woman of Islam). .These books are specifically about women and issues regarding women

As for my motives for these works, regarding

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the book, Ayin-e Hamsardari (The Art of the Marriage Relationship), which was written in AH ۱۳۵۴ (AD ۱۹۷۵), it was that while I was a young theologue [talabah] and because of the close contact I had with people, I was witness to the people's—and my own family and relatives'—marital issues and problems and some came to me with .their difficulties

This caused me to strive to compile the book and communicate various issues in this regard. First of all, I collected books regarding these issues, which were very few. While studying them, I realized that they could not appease the needs of the society. That is why I decided to write Ayin-e Hamsardari. The book had many readers and was useful. Naturally, after that I was consulted much regarding family problems. I did not brush off my consultees; in fact, I welcomed them and I took pleasure from .the fact that I could help resolve family problems

After three to four years, in which I had first-hand experience with these issues, I realized that most family conflicts result from the lack of correct edification of girls and boys within the family. Hence, I thought about writing a book regarding training of children. Regarding this issue also, I collected and studied relevant books and realized that, incidentally, there were no adequate books on this subject either. Of course, there were some books—some that were not based on Islam and others that were .too scientific and not suitable for the masses

Therefore, using the

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experience I had gained, I employed myself in preparing Ayin-e Tarbiyat (The Art of Training and Edification). Simultaneously, I asked a friend of mine in Tehran who held conferences for women, and explained issues regarding training and edification, to ask the women about their problems and questions. I received over two hundred letters in this manner, which went far in helping me to identify problems and write the .book. Of course, in this regard, I also read various magazines and newspapers

As for the book Intikhab-e Hamsar (Choosing a Spouse), while reviewing family problems, I became aware that a lot of problems also arise from the fact that many young men and women do not marry judiciously and wisely and thus, they are later afflicted by various difficulties. It seemed that knowing the process of choosing a spouse was a pressing need for youths. After considerable investigation, I did not find any satisfactory books on the matter. There were some books that discussed the problem in a very subsidiary manner; however, they were not helpful to young .women and men. This prompted me to write Choosing a Spouse

In the meantime, because I participated in many seminars, I felt that there was need of a more scientific book regarding Islamic education and edification that could satisfy the needs of the academic community. As a result, while writing Intikhab-e Hamsar, I started with another book named Islam va Ta'lim va Tarbiyat (Islamic Education and Edification). Though, before these books, I had written Banu-ye

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.(Nimunah-ye Islam (The Model Woman of Islam

In this book, I tried to incorporate moral aspects in a behavioral aspect as opposed to historical. At the time, all these books were needed. Even now, besides the work I do in seminars and on television, one of my jobs is resolving family conflicts, which I perform as much as I am able, and I enjoy it. However, I am sorry that I do not have

more time to spend in these issues. Even so, I do not refrain from these activities .unless I have no choice

• How can families be made more knowledgeable regarding conjugal relationships?

Reply: I believe that the mass media such as television, radio, newspapers, and magazines must give more weight to the matter of marriage and safeguarding the institution of family. I feel danger for the future of families in Islamic Iran. Of course, the mass media have some programs and writers write about these issues, but it is not enough. There is need of much more than this. Books are one of the important .media of information

However, many couples do not read them. It would be good if charitable people would make books regarding family education available with lower prices, or charity organizations, such as the Imam Khomeini Charity Committee, which holds marriage ceremonies for several thousand young men and women each year, would make these books freely available. I wish that, in addition to the household appliances such as refrigerators, freezers, and televisions they donate

to young couples, they would also give them a book on morals and behavior. This is easily achievable. The price of a two dollar book is nothing compared to the price of .the dowry they donate to the bride

Additionally, I feel that seminars and workshops must be held in order to prevent family troubles and make marriages more successful. Unfortunately, we are deficient in this area. When a company hires someone for teaching or any other job, they do not let them work until the new employees take part in a period of training and instruction. However, marriage, which is the most fundamental issue in the lives of young women and men, is performed without knowledge of how to consort with one’s .spouse

These issues are neither given regard in study books nor are there classes held for

this purpose. If our Islamic government would require all couples who wish to marry to take part in a one month training course, in which family issues were correctly examined and taught and then give them permission to marry, I believe that there would be many fewer problems. Theologues and learned people should especially support this matter and implement it into their schedules. Some theologues have started programs in some cities, but it is not enough. In any event, an extensive program must be started by all those who work in social services, advertizing and .publication such as the clergy, writers, television and radio personnel, etc

- What do you think about the

?freedom of women in Iran

Reply: There is no doubt that throughout history, women have been oppressed and their rights have been disregarded. While today European countries give women much ostensible and superficial freedom, their history shows that they greatly oppressed them in the past. This problem caused the advent of the feminist movement in the early ۲۰th century, which was honestly an apt movement because it provoked many intellectuals and public-spirited people into giving women consideration. Needless to say, many women and men gave the movement good .reception and propagated the campaign

The issue they advanced at the time was that men and women must be equal in all aspects and that no difference exists between women and men. Women are human and men are also human. Two humans have equal rights and just as men are free in possession of personal property, work, and other issues, so also women must be free. Anyway, an extensive campaign, which was outwardly a good movement began. They greatly promoted the matter; however, the movement had the following :drawbacks

First, in this movement, the issue of family was disregarded and only the call of freedom could be heard. Unfortunately, what this freedom and equality would do to

!the institution of family was not regarded in the least

Second, when they wanted to propound the matter of liberty and equality, no heed was given to the fact that women have a differing genetic and spiritual makeup from men. With the pretext that women are human they

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.asserted that women should have the exact same place as men

Negligence of these two facts resulted in women entering public work because the defenders thought that if women have financial independence, men can no longer .oppress them

Consequently, at the time, there was the matter of industrialization and development of factories and such, and naturally, they needed workers. The owners of these factories completely used this opportunity with the realization that women would enter the workforce and they could be employed with lower wages. Thus, tycoons and industrialists also welcomed this innovation. Naturally, women felt that they had .gained some rights and an income and this made them happy

Little did they realize that some of these jobs were not suited to women and their special genesis. In short, the proprietors of businesses, those same males who before had exploited women within their homes, again became predominant in exploiting women outside their homes. In addition, men used women to attract customers and gain profit. In this manner, some women were brought into offices, advertising, cinemas, and theaters in order to provide men with pleasure. In the long run, the effect of this so called 'equality of women and men' is what we see in the Western .world

In the West, families are truly shattered. Even those that are not completely shattered, have many problems. When I went to Australia, they said that a high percentage of marriages result in divorce. There was a high tally of unofficial offspring. Bachelor life was extensive

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and there were many other problems. For example, having illegitimate children is .something that is no longer considered indecent or improper

They jest and call one another illegitimate and no one becomes offended! Now, as a result of a movement it has started itself, the West is in very bad shape. Due to rapid communications, countries have become closer and the danger is that something that .occurs in one place, quickly spreads everywhere

Here, I will point out our situation before the victory of the Islamic Revolution. At that time, women were oppressed just like the women everywhere else, and their rights were greatly ignored. Some men abused women. Men would make unjust restrictions for women and unfortunately, they put Islam at fault for many of these restrictions, even though they had nothing to do with Islam. This was until the movement that started in Europe slowly propagated to Iran though various books, writings, and other .media of communication

This produced a parallel movement in Iran with the backing of the former regime with the tag of defending the rights of women. Therefore, an identical movement to the one in Europe stared in Iran. The matter put forth at the time was the equality and liberty of women, like in the West. This movement was the mainspring of perversion .among women in Iran, and brought about abolishment of Hijab and other problems

At the time, some men attempted to preserve the previous state in their homes, and they kept up their bad

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behavior and solidified bigotry. Others, who were supporters of the new situation 'did as the Romans' and perversion thrived and greatly threatened the institution of family until God Almighty did a kindness and the Revolution occurred. Even if the Revolution had not transpired, we might not have become like the West, but the situation of our .women and society in general would have become very bad

Naturally, after the Revolution, without much propaganda or restrictions, the women themselves observed Hijab for a period and the situation had become extremely good. With his wise recommendations, Imam Khomeini (may Allah have mercy upon his soul) bought women into the society. Maybe if someone else was the helmsman of the Revolution, women would not have become active in the society so quickly. In his speeches, Imam greatly encouraged them, such as in issues revolving around the war. Finally, this resulted in severance of traditional chauvinist men, who would not let women enter the society.

This was a good opportunity and wonderful atmosphere because those who previously had unreasonable freedom were now relatively happy that they had freedom to be present and work in the society. Those who were under restrictions because of some men's narrow-mindedness, for which Islam was sometimes faulted, now entered the society. Ultimately, nearly ideal circumstances were produced for women in order for them to attain their true rights and be saved from their previous problems.

However, this opportunity was not used very well. It was befitting that women enter their true

paths; the same path that Islam had set for them. They should have entered the society with foresight and received their rights, but this has not happened in many cases. In the past, many people were prejudiced—they would not let their daughters go to school. Now the path has been paved for them to go to school and enter universities. However, education alone cannot resolve the predicament of women.

Of course, it is good and there is no doubt that women must also learn, vote, become candidates for election, enter the senate and ministries, create works of art, etc. These are all good and well, but are the problems of women limited to these issues? Women are encouraged in sports and the ultimate goal of some women might be to take part in international games and win. Taking part in sports is permissible for women; however, these are not the pivotal affairs of women. Women should have

traveled on their true paths and pursued their real rights. Which of the basic problems ?of women do professional sports solve

In performing the things we did—many of which were done recklessly—we disregarded two issues: First, we did not reckon whether what we did would cause strengthening of the family or its weakness or whether the number of divorces would plummet or skyrocket. In our plans of action, we did not think of the instability or fortification of the family institution while we should have regarded it in all programs as a criterion. Family

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.is a reality that, through its strength, the society becomes strong

The endurance of the family is to the advantage of both women and men, and its fragmentation harms both men and women. Regrettably, the tally of divorces not only has not become less, it has soared. Even though in our Islamic regime divorce, which is the most hated of the permissible things in Islam, should reach its minimum, it has .sadly reached an all-time high! This is a result of our inexperience and greenness

Sadly, I see too many people who should themselves be the ones to resolve the family .problems of others, but who do not even act correctly with their own families

Another issue that was tragically disregarded in the plan to bring women into the society was their special genesis. Jobs that were well suited to women wherein they could both fulfill their God-given responsibilities and also have an influence in the society were not well thought out. It is vital to discover what types of work are suited to the needs of women. If we do not contemplate the matter well, I fear we shall be .afflicted with the same fate as the West. I sense the peril of this truth

Nonconformance of Publicity and Education

Unfortunately, we do not have coordinated communication and organization in cultural issues, albeit this deficiency is not specific to women alone, and when communication is not coordinated we cannot arrive at a desirable outcome. In fact,

we may even get an opposite result. What I mean by

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coordination is that all people and organizations must work synchronously in cultural decisions: television and radio, writers, magazines, publishers, speakers, etc. If all .walk the same path, all will be very successful

For example, in the eight year imposed war, we publicized the culture of jihad and martyrdom(۱) among the people and we were successful. At the time, we were all harmonious, from Imam Khomeini to all administrators, the clergy, and the media. Thus, even with an abundance of problems, we were miraculously triumphant and we were able to defeat all the powers that were behind Saddam, even though we were empty-handed and alone. The reason for this victory was that we spread this culture .and because jihad and martyrdom were the greatest of values

When youths went to the frontlines, they welcomed martyrdom. The tradition of martyrdom could be seen on all fronts. In sermons, speeches, eulogies, and poems there was talk of self-sacrifice, jihad, and proximity to Allah. Back at the Friday Prayer, I addressed eulogists and said that throughout the years of battle against the previous regime, eulogies and poems regarding Imam Hussain ('a) had a wonderful .color and other types of poem were moot

With the rise of the Revolution, poems changed and addressed the path of martyrdom, jihad, and related matters. However, when the war was over, the poems returned to their previous style and higher values were ignored. Now, look in our newspapers and art and literature media and see what values are prevalent and

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۱- - In Islam, those who go to jihad are considered victors whether they live or die because if they live, it is because they have defeated the enemy and if they 'die', they attain the rank of martyr [shahid], which is one of the highest ranks one may attain in Islam. According to the Quran, the shahid is not dead, but lives on even though we

[.cannot perceive them. [trans

.what is rewarded

In this turbulence, if someone wishes to spread a tradition, they will not be successful. Changing or spreading a custom requires a common and united movement such that at least seventy percent of administrators and organizations are coordinated and the other thirty percent follow their lead. Unfortunately, we have done no such thing and .do not presently have it in our culture

At the beginning of the Revolution, women willingly accepted hijab along with the flow of the Revolution without intimidation or discipline. However, we should have used this opportunity to vitalize the tradition of hijab with coordinated publicity and educating principles. Women must believe that hijab is in their own interests. When this value came without effort, we did not appreciate it. Women's acceptance of hijab was truly a miracle considering the situation of the society. We could have undertaken much cultural education, but we did not. Then the surge of the Revolution and the .term of the imposed war passed and still we did nothing

Coordinated cultural education is very important. The truth of the matter is that cultural administrators should have made a united decision about women. What is their correct path? What are exemplary values concerning women? If this had been done, they would have more easily accepted their worthy path. Instead of coordinated work, we undertook scattered and preferential projects and focused attention on cultural scenes such as Friday Prayer, while many newspapers, books, and cinemas became battlefields of the whims. These incongruities and differences

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.in inclination retarded cultural education

- Is the position of family in the moral and jurisprudential system of Islam an ?immutable affair

Reply: The matter of family is one of the difficult issues of sociology and its complete

analysis requires extensive discussion. However, in short, I can say that the importance of family is hidden to none and sociologists agree on this. The institution of family is held to be the best and most secure place for the tranquility and ease of husband and wife and for correctly rearing children. If families are healthy, so is the .society and if families shatter, there will not be a healthy society

Islam puts much importance upon family. It has legislated its laws such that the institution of family remains intact and strong. Thus, in Islam, preserving and fortifying the family is considered a chief principle. However, the rules and regulations and the rights and privileges governing families can be adapted and changed with .respect to varying prevailing conditions

What are the main points of difference in criterion between your views, which are • ?religiously based, and other views

Reply: The positions some religious persons took regarding the defense of women’s rights did not consist of a unanimous, clearly thought out Islamic strategy. It did not start with regard to the special genesis of women and the necessity for preserving and strengthening the institution of family. It was not coordinated. Among the advocates of women’s rights, differing and sometimes conflicting positions were taken. Some liberalist individuals, who preferred

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the situation of Western women, propounded the issue of freedom and equality of .rights and responsibilities for women and men

Without giving heed to the special genesis of women and the necessity of upholding and bolstering the institution of family, they endeavor to drag Muslim women down the same path of Western women—upon which Western women have incurred much loss. This is a dangerous task. Conversely, others attempt to keep women in the previous traditional situation and attribute their incorrect ways to Islam. They are not willing to impartially accept the true views of Islam and give women their canonical .freedom and rights

I believe both these parties have gone to extremes. Regarding the positions I take regarding women's issues, I seek to understand and follow the true opinion of Islam. I take into account the special genesis of women and reinforcing the institution of .'family. Accordingly, the main criterion for my views is 'moderation

?What is the rank and stature of women in the Islamic perspective •

Reply: The status of women as stated by the Quran and Islam is the status of 'humanity'. It is very interesting that around one thousand and four hundred years ago, when women were mostly considered a weak and inferior gender and some even doubted the humanity of women, Islam does not even directly address the issue; rather, naturally, it encompasses both women and men when it speaks about humans. Therefore, in order to clarify the status of women in Islam, we must investigate the status

.of humans in Islam

Even though this issue requires a comprehensive discussion, in a nutshell, I can say that Islam regards humans as an elect being composed of a body and soul, superior to all material things. Humans are eternal beings that have a lofty purpose for their creation. This purpose is spiritual perfection, and bliss in the anthology of life, especially otherworldly bliss. Islam regards humans as superior life forms, the noblest of creatures [ashraf-e makhluqat] and due to this nobility, various duties have been placed upon our shoulders. Of course, this is a summary of a matter which requires much more thorough discussion. Through this discussion, the status of women may .be illuminated

The Quran and Hadith has put much emphasis on this issue. As an example, this noble :verse

وَلَقَدْ كَرَّمْنَا بَنِی آدَمَ وَ حَمَلْنَاهُمْ فِی الْبَرِّ وَ الْبَحْرِ وَ رَزَقْنَاهُم مِّنَ الطَّیِّبَاتِ وَ فَضَّلْنَاهُمْ عَلَی كَثِیرٍ مِّمَّنْ خَلَقْنَا تَفْضِیلاً

In this verse, God Almighty states: 'Surely We have exalted the children of Adam

[meaning that God has promoted humans—both men and women as children of Adam —above other material beings] and We gave them means of transport on land and sea, and We provide them with good and pure things, and We have elevated them much over many of those We created.’(۱) Of course, many exegetes state that other than material creatures and angels, there may be other lofty creatures over which humanity has been exalted, but Quranic verses and Hadith clearly state that humanity is superior to the angel

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۱- - Surah Isra’ ۱۷:۷۰.

race.

Thus, it seems that the minority to which humans are not superior are a few specific sublime creatures. In any case, by citing this verse I intended to show the elevation of the children of Adam over many other creatures and that regarding the designation ‘children of Adam’ women and men are equal as humans. If women were not lofty, it would be said: “We have exalted men.”

Again, there is another verse that states:

لَقَدْ خَلَقْنَا الْإِنسَانَ فِی أَحْسَنِ تَقْوِیمٍ

“Surely We have created humanity in the best formation.”(۱)

This means that the spiritual and corporeal formation of humans is the best possible form. Exegetes state that this ‘supremeness’ means that humans can do many things that other beings cannot. Humans can even do things that angels cannot. Here also humans are at issue, not men. Men and women are generic in their humanity. The creation of humans is detailed in the Quran. God Almighty declared to the angels that He intended to create a trustee [khalifah] on the earth. The trustee was not only man, but all humans; the children of Adam and all humans throughout history are the trustees of Allah—men and women are no different in this regard. The rank gained by

Adam ('a), who was able to learn the 'Names' God Almighty taught him, was due to his humanity not his maleness. Because he was human, he was able to understand them and answer questions regarding them. Women are also such. When the angels saw (that Adam ('a

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١- - ٩٥:۴ Surah Tin.

could answer when they could not, they bowed and made obeisance to him:

فَسَجَدَ الْمَلآئِكَهُ كُلُّهُمْ أَجْمَعُونَ

"Thereupon, all the angels made obeisance, bar none."(١)

In truth, the obeisance of the angels was due to this ability and potential, and women and men are no different in this manner.

Some may argue: Considering the following facts, how can the name Adam be generalized to the whole of humanity? The Quran employs the name of Adam ('a) in various verses such as وَ عَلَّمَ آدَمَ الأَسْمَاء كُلَّهَا (and He taught Adam the Names, all of them...(٢)) and وَ إِذْ قُلْنَا لِلْمَلاَئِكَهِ اسْجُدُواْ لآدَمَ (and when We said to the angels: prostrate yourselves unto Adam...(٣)). Moreover, the name Adam ('a), which is a proper noun used as opposed to Adam's wife such as in the verse يَا آدَمُ اسْكُنْ أَنتَ وَ زَوْجُكَ الْجَنَّهَ (O Adam! Dwell you and your wife in the Garden...(۴)), is used specifically to indicate the first man.

In answer, we must say: True, here Adam is the addressee. However, sometimes Adam is addressed as a person and sometimes as a human. Here Adam is addressed as a human. It is not true that God intended to designate a certain man as His khalifah upon the earth. Also, it was his human soul that enabled him to understand the 'Names'. The angels bowed to Adam because of his humanity not his personage or gender. Additionally, some Quranic verses also use the term 'the children of Adam'.

Consequently, the understanding the angels voiced in their question

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.Surah Hijr ۱۵:۳۰ - -۱

.Surah Baqarah ۲:۳۱ - -۲

.Ibid ۲:۳۴ - -۳

.Surah Baqarah ۲:۳۵ - -۴

regarding this new creation (Why do you want to create a creature that will cause corruption and spill blood on the earth?) was the creation of the human kind as opposed to Noble Adam the person. Their understanding was that because this creature is material, it can cause corruption. The corruption, they presumed, involved .both genders. This humanity is where we derive our characteristics

The fact that Islam has not separated males and females is very interesting; it means that it is an indisputable fact that does not even merit a discussion. Especially in times that some cultures doubted the humanity of women, Islam did not see any need to defend the issue. Islam never says women are also human, because it is taken as a .given fact

It is also interesting that no verse in the whole Quran can be found that regards women as less than men or indicates the possibility of deficiency or weakness in their intellect or social behavior. No part of the Quran reproaches women due to their femininity. It does reproach women, not because of their womanhood but due to their .deeds, just as it also reproaches men on account of their deeds

• ?What are the common duties that Islam has put upon both men and women

Reply: Humans are superior beings among the creations of God. One of their responsibilities is that they must preserve their species because the extinction of humankind may cause great harm. They are complete beings who are magnificent and are the

purpose of Creation. Thus, the first duty of humans is self-preservation and .reproduction

Of course, God has also implanted the instrument for this, which is sexual desire, in the nature of both men and women. In his exegesis 'Allamah(1) Tabataba'i states: Providing this sexual drive in humans is a veil for the reality that the Creator wants humans to sustain their race; this duty has been put upon the shoulders of both women and men and both are the source of the race's perpetuation. The Quran has :also stated this issue; for example in this noble verse

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُم مِّن ذَكَرٍ وَ أُنثَى...

"O Humans! Verily We have created you from a male and female..."(2)

First, this verse addresses humans [nas], which comprises both women and men. Then it states, We have created you from one male and one female. Again it mentions :them both together and does not differentiate. Near the end of the verse it states

...إِنَّ أَكْرَمَكُمْ عِندَ اللَّهِ أَتْقَاكُمْ...

"Surely the dearest of you to Allah are the most righteous of you..."(3)

Here also there is no distinction between men and women. Woman can be just as .pious as men and both can deviate from the correct path

The second common duty among humans is to perfect their souls, use this world to gain a better place in the next, and improve and develop both their worlds. This mystical quest, spiritual perfection, and improvement of worldly and otherworldly life are common responsibilities upon all humans, regardless of whether they are

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۱- - Allamah is a title imparted upon only those with extensive knowledge in many diverse fields. [trans.]

۲- - Surah Hujurat ۴۹:۱۳.

.Surah Hujurat ۴۹:۱۳ - -۳

male or female. There are many verses on this issue, some of which I shall .enumerate

مَنْ عَمِلَ صَالِحًا مِّن ذَكَرٍ أَوْ أُنثَى وَ هُوَ مُؤْمِنٌ فَلَنُحْيِيَنَّهُ حَيَاةً طَيِّبَةً...

Whosoever performs a good and righteous deed, whether they be male or female,“ (while they are a believer, We shall certainly vivify them with a good and pure life...”(۱

Good and pure life [hayat-e tayyibah] is congruous in both this world and the afterworld [akhirat]. Life in this world and the next is not separate. One enters pure :and good life in this world and continues it in Akhirat. The verse ends thus

...وَ لَنَجْزِيَنَّهُمْ أَجْرَهُم بِأَحْسَنِ مَا كَانُواْ يَعْمَلُونَ

and We shall recompense them with a reward according to the best of what they...“ (used to do.” (۲

Again it is made clear that any man or woman that does good deeds shall be given .hayat-e tayyibah

:Another verse states

...أَنِّى لاَ أُضِيعُ عَمَلَ عَامِلٍ مِّنكُم مِّن ذَكَرٍ أَوْ أُنثَى بَعْضُكُم مِّن بَعْضٍ...

I shall not waste the work of any agent among you, whether man or woman; you...“ (are all members of the same race...”(۳

i.e. some of you are from some) بَعْضُكُم مِّن بَعْضٍ :The last statement is very interesting others). This can mean some women are from other women; some men are from other men; or that some men and some women are from each other. Regardless, it is saying that men and women are the same in this respect. It seems that it wants to say that you are all together, have to continue this life

.Surah Nahl ۱۶:۹۷ – -۱

.Ibid ۱۶:۹۷ – -۲

.Surah Al ‘Imran ۳:۱۹۵ – -۳

.together, and work together to attain human perfection

Just as the Quran has praised some men for their faith and righteous deeds, so also it has praised some righteous women. For example, it beautifully eulogizes Saint :(Maryam (‘a

وَ إِذْ قَالَتِ الْمَلاَئِكَهُ يَا مَرْيَمُ إِنَّ اللّهَ اصْطَفَاكِ وَ طَهَّرَكِ وَ اصْطَفَاكِ عَلَى نِسَاء الْعَالَمِينَ

And [remember] when the angels said: O Maryam! Verily, Allah has chosen you and“ (purified you and preferred you above the women of the worlds.”(۱

This is a great excellence. Or the example of Asiyah, Pharaoh’s wife, who is also thus. :She has been extolled in the Quran

وَ ضَرَبَ اللَّهُ مَثَلًا لِّلَّذِينَ آمَنُوا امْرَأَه فِرْعَوْنَ إِذْ قَالَتْ رَبِّ ابْنِ لِي عِندَكَ بَيْتًا فِي الْجَنَّهِ وَ نَجِّنِي مِن فِرْعَوْنَ وَ عَمَلِهِ وَ نَجِّنِي مِنَ الْقَوْمِ الظَّالِمِينَ

And Allah has set forth an example for the believers, Pharaoh’s wife when she said,“ ‘O Nourisher! Build for me, in your presence, a house in Paradise, and deliver me from (Pharaoh and his deeds, and deliver me from the evil doing people.”(۲

It is interesting that God Almighty has cited Pharaoh’s wife as an example for the meaning all believers, men and women alike. It wants to say: Look!–لِلَّذِينَ آمَنُوا :believers This is a woman who has gained such rank. It shows great excellence for the Quran to .give a model woman as an example for all believers

Another common merit and duty for humans is gaining knowledge. God Almighty has created humans such that they can acquire both intellectual and empirical knowledge and their greatness is

.Ibid ۳:۴۲ - -۱

.Surah Tahrim ۶۶:۱۱ - -۲

due to this ability. The worth of humans is due to their knowledge, and women and men are similar in this respect. God Almighty has given both men and women the .matching ability to learn and acquire knowledge

The fact that He has given humans this capacity means that we must use it. God has anticipated a purpose and end for everything he has given to humans. If women were not supposed to obtain knowledge, surely God would not give them the capacity to do so. Therefore, they must endeavor to learn and they are completely identical to men .in this regard

Moreover, it is evident that the Quran does not give any special preference to men when speaking of knowledge and women also have these merits. There are many Hadith that instruct us to acquire knowledge, such as this well-known Hadith of the :(Prophet (S

«طلب العلم فریضه علی کل مسلم.»

.Seeking knowledge is a duty for every Muslim

As I have said, the term 'Muslim' equally refers to both females and males, but some :'citations also state this Hadith specifically with the words 'Muslim' and 'Muslimah

«طلب العلم فریضه علی کل مسلم و مسلمه.۱۴۵»

However, even if it did not contain the word "Muslimah" it would be sufficient for this :purpose. Also

«الا ان الله یحب بغاه العلم.»

.Allah loves seekers of knowledge

Thus, I deem it necessary to succinctly state that if women and men both have the capacity for knowledge and if Islam expects it of both and if the Quran does not

differentiate between

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men and women, then one of the important things to which women must pay attention is the acquisition of knowledge and completing their erudition.

Women must strive to obtain the rights that God has given them. It is with knowledge that humans attain civilization, development, and advancement, and scientists and scholars have delivered humanity to the current state of development and advancement.

Humans are responsible for their own advancement; both men and women—it makes no difference. Women consist of approximately half the population. They should try to become self-supporting because half of the society is women. Naturally, half of universities and schools must be for women and it would be better for them if they governed them, meaning that all the people involved should be women; including the drivers, janitors, teachers, professors, etc. Because half the society consists of women, half of the hospitals, laboratories, and other medical centers must be run by women.

This is due to the fact that women have needs just like men. It is proper that women be independent in these fields; that is, they must have professors, doctors, specialists, nurses, etc. from themselves and be independent of men in this regard. Half of doctors in Iran should be women—no, even more than half; because women usually consult doctors more than men. The wife of one of my students was ready to give birth. He said to me, 'She was not inclined to let a man help deliver the baby. When I told this to

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the person in charge, they gave only women responsibility over the necessary tasks and services.' It is very noble and dignified of a woman to decline to allow a man to examine her. These are truths that women must seek for themselves.

Women also need to learn religious issues, religious jurisprudence, religious precepts, and theology. Half of religious centers must be held by women. Half of preachers must be women. They must hold classes, discussion forums, and lectures for themselves. In fact, they understand each other better and their own words influence other women better. It is very delightful for women to say, 'We are capable and independent and we wish to be independent in religious issues also. We will train and provide teachers and specialists in this field ourselves. We will do research, write books, make speeches, we will do it by ourselves.' Why should women not be able to ?do these things

Why should we not have enough educated women to teach in schools so that men do ?not have to teach in women's high schools

Why should women be secretaries and men doctors? There should be female specialists with female secretaries and they should perform injections and other services themselves. It is not in a woman's dignity for her to be a man's secretary or a male surgeon's assistant in an operation. A women's dignity is much greater than this, and they should not be content to be only nurses. True, the work of a nurse is very noble and

women are quite competent in such work, but cannot women also be competent as specialists in medicine? We have many talented and brilliant women. They must go .after these jobs; this is what gives them greater character

It would be good if women would reveal the greatness of their character to men. They can if they desire to. I have seen women who are great in various sciences or jobs—even better than men. Unfortunately, the arrogance of men sometimes keeps women from attaining greatness. I have heard that many male specialists do not accept women as their students to become specialists, maybe because they fear that by becoming specialists, women will take over their jobs. I believe that, with regard to statistics, we should lower the number of men that are accepted in medical universities so that more women can enter these fields and the ratio of men to

.women balances out

Then woman may say, ‘We have strived for our own independence and now we have really attained it.’ Development and independence is not in sports. Sports are a good thing; however, it is deceiving women to over-promote sports among women because women are similar to men in this respect and can do sports on their own. It is not a merit for which men can hold women under obligation that, ‘we let women do .sports’. It would be of much worth if they were to become experts or intellectuals

I am amazed at women. They sometimes ignore their true rights

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and dignity and go after inferior things. They say, let us work—but where? They choose second-rate jobs like being a secretary for a male doctor? Women are far more worthy than this. This is also true of the clergy and religious schools. I truly believe that if we want to do it right, if we plan correctly, half of theologues must be .women

However, it is evident that they must learn particular studies that are appropriate to them and hold female-specific specialties, which can help them become more independent. Of course, it is also a matter for debate that even though women have the right to study in any field, is it to the advantage of women and the society in general for women to study in all fields and are not some fields better suited to women? In any event, we should not disregard the femininity of women, the specific .situation of women, their families, and even the society

• ?Why do you emphasize medical fields so much for women’s employment

Reply: My stress on medical professions and their dependencies for women is due to the facts that such fields are always needed by everyone and in order to diagnose an illness an examination is necessary, which usually entails observing and touching the body of the patient. Islam has prohibited both men and women from viewing or touching the body of non-mahram persons because this is a preliminary for deviation.

Thus, we should strive to bring about the prerequisites for preventing

deviation so that we may easily carry out divine commandments and maintain the .interests of religion

A while back, a distressed final year medical student came to me and said, 'I wish to change my field.' I asked why and he replied, 'Because after graduation if I want to not take female patients it would be problematic and if I do accept them, I would have to examine them which would entail a haram act. So it seems that it would be better for me to just change my field now and save myself from this problem.' Women also have this problem. Those that are religious and wish to observe their Islamic duties cannot see a male doctor save in necessity. As long as there is a female doctor in town who can perform examinations, woman cannot canonically consult a male doctor. Also, under such conditions, male practitioners of medicine do not have the right to examine women. Therefore, I feel that there is an extreme need for women to be .more active and become independent in this regard

Islamic laws engender circumstances in which individuals and society do not deviate from and are not stunted on the path of development, advancement, and the lofty purposes of the human race. Regardless, the nature of men and women is such that they feel attracted to one another. When the seeds of inclination and tendency are sown in a person due to undisciplined association and contact, they may deviate which would be deplorable. If

they do not alleviate themselves or are religious and do not desire to perform a sin, they will slowly become mentally or spiritually ill. In addition, the situation may also cause other complications; for instance, the person may lose the affection and love they previously felt for their spouse, which may cause family problems. This is why .Islam emphasizes this issue

Another benefit of women's independence in this matter is that they may freely prove their worth and virtue in their own regard. Moreover, women who seek medical advice in independent medical centers that belong to women are more at ease, because they look on it as their own and take pride in it and are peaceful there; for example, a patient laying on a bed in such a center is at peace because she knows that no male doctor or nurse will frequently come up to her to examine her or take her readings. Also, men will not be worried or anxious because of their wives' or daughters' presence in such environments. This is better and lovelier for the whole community. If these things happen, we can even be an example for other countries .and prove the excellence of women

Must we accept the separation of men and women that is implemented in some • facilities? Does not this separation make men and women more sensitive toward each other? Some say that the sensitivity that women and men have toward each other in Islamic societies is not so intense in Western

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cultures and this is because of the attitude and restrictions that must be religiously observed. Do you confirm the more intense attraction between men and women in ?Eastern and Islamic communities and do you believe that this is its cause

Reply: Women and men are naturally attracted to one another. If this attraction is unrestrained, it usually brings about illegitimate relations, and moral and social corruption. However, in Western cultures, due to complete unrestraint in the relations among men and women, they do not regard these corruptions as corruption. They have become addicted to the immoral by-products of uninhibitedness in morality, spirituality, and the society. It has become normal to them. Sometimes when a person has never seen health and well-being, they become accustomed to their deformity and contortion. However, another related fact is that geographically, sexual arousal is .less severe in humid environments as opposed to torrid climates

This separation is not bias, it is independence and independence does not entail bias. There was bias in the past and we intend to prevent it. If women become self-reliant

it is to their own advantage and they can prove their excellence and freely progress. Besides, I do not mean that women must not go to men's hospitals or vice versa. There is no problem with women being self-sufficient; they can have hospitals, medical universities, and such for themselves and be independent. And if a woman wishes to visit a male doctor and her illness does not require contact or observation of the

body, what is the problem?! There is no problem. By separation I do not mean that men and women should not even see each other; rather, it is to prevent interactions .that are religiously prohibited

- ?What is your opinion about other fields of study

Reply: Women have the aptitude for all types of knowledge and if they are inclined to choose any field of study, there is no prohibition or proscription. There is no doubt about this and women can study in any field they wish. However, regarding the fact that education is usually for employment, I do not deem some fields suitable for women. I do not say that some fields are prohibited (haram), just that I do not deem them suitable because women will have problems when they wish to go to work. There are some fields of work that are not appropriate for women, such as heavy mechanical fields, mining, seamanship, and so on. First, beauty, exquisiteness, and elegance are great merits of women and the more they are able to retain these characteristics, the more they are successful in life. If a woman wishes to have influence in the heart of her husband she must endeavor to maintain her beauty. Regardless of how much income certain experts have, vigor and cheerfulness have great influence in the family. Hence, Islam emphasizes for women to adorn themselves and apply beauty products for their husbands, wear lovely clothes, and :maintain their beauty. We even have a Hadith that states

«المرأةُ ريحانه

و لیست بقهرمانه.»

.A woman is a beautiful and fragrant flower [riyhan], not a champion

Also, various Hadith state that women must not be committed to tasks beyond their .endurance

Thus, women must place sufficient importance on preserving their beauty. There is no problem with women working in the society, though it is good for them to find work that will not harm their beauty. Consider a woman who is an engineer whose work is in the desert where she has to endure the sun and sweat. Or a woman who works in crude oil extraction or similar jobs with all the hardships such jobs have. Her beauty cannot endure. Even though such jobs have good incomes, she may not keep her attraction for her husband. Therefore, I do not consider professions with such .conditions in the interest of women and the institution of family

We regard preserving the family a truly fundamental issue and a societal necessity. The institution of family and rearing children is the foremost role of men and women. Having children is a fact of life and it is a need that both women and men have. Women must have foresight and think ahead about whether their intended field of study is compatible with the cohesion of their family. It should not be a job that .shatters the family or makes them unsuccessful in training their children

It is an undeniable truth that children do not need their fathers as much as their mothers. Fathers mostly provide their living expenses, but

it is the affections of a mother, and her patience, forbearance, and method of training that is very important for a child. This is not a shortcoming but a perfection that .women have an emotional makeup that can sustain children

There is a saying in Persian that in ashes (poverty) a mother can manage her children such that a father cannot, even in richness and comfort. Women must choose a field in which they may also tend to their children. If she chooses a line of work in which she

must be on a ship for six months of the year or travel for days at a time, naturally, her children will have problems. Therefore, they should choose a job that will not harm .their beauty, the solidarity of their family, and training of their children

In general, I believe that some fields are quite suited to women, like educational and training fields, in which women are usually more proficient than men, such as education, psychology, sociology, mathematics, IT, and other fields that are suited to .the nature and situation of women

I must also state that sometimes if women do not work, the household cannot be managed (their work is necessary for the family's livelihood). Among nomads or in rural, farming, and animal husbandry communities women work as much as or sometimes even more than men. They also do household tasks and jobs like carpet-weaving. Naturally, help in providing such income is not a problem; in fact it should be considered

.one of the merits of women

However, I advise men not to expect women to perform tasks that interfere with the cheerful home atmosphere and the training of their children unless absolutely necessary; because according to Islam, a woman is like a riyhan, a fragrant and delicate flower, and as such they must be cherished and not forced to do taxing jobs. I council men that it is in their own interests to refrain from asking their wives to perform heavy work. However, if women wish to work and are able at the same time .to observe religious regulations, there is no problem with them working

It would be befitting for the government and related organizations to promote a culture in which heavy jobs are not given to women. I see that sometimes very arduous jobs are given to women, in some places of Iran, such as in some northern regions. It can be seen that men are mostly unoccupied while women perform difficult occupations, such as farming, and when they come home, again men do nothing while the women do household duties. Truly women endure many hardships. Women's

hardships should become fewer and men should take care of and accommodate the .women

• ?Is there any ban, reproof, or criticism regarding the education of women in Islam

Reply: Essentially, the ability to acquire knowledge is an aptitude that has been given to all humans—whether man or women. In truth, this aptitude gives them license to .seek knowledge

Hence, learning is one of the

natural and human rights of women. In addition, Islam confirms this right and there are many Quranic verses and Hadith that emphasize the necessity to learn and :women and men are no different in this regard. I shall enumerate several verses

...قُلْ هَلْ يَسْتَوِی الَّذِينَ يَعْلَمُونَ وَ الَّذِينَ لَا يَعْلَمُونَ...

"Say, 'Are those who know and those who know not alike?'"(۱)

The verse leaves the answer to our inner selves, our human nature and instincts; it is an evident and indubitable fact that a knowledgeable person is not equal to a person without knowledge. Here it is clear men and women are no different. Just as a male .scientist cannot be compared to an ignorant man, women are the same

:Or this verse

...يَرْفَعِ اللَّهُ الَّذِينَ آمَنُوا مِنكُمْ وَ الَّذِينَ أُوتُوا الْعِلْمَ دَرَجَاتٍ...

"Allah exalts those of you who believe and those who have been given knowledge to great ranks."(۲)

In this verse Almighty God regards those who believe—both women and men—to have high ranks and those with knowledge are even higher. Again men and women .are the same in this

Many verses of the Quran advise people to think, contemplate, and acquire :knowledge. Such as

أَفَلَمْ يَسِيرُوا فِى الْأَرْضِ فَتَكُونَ لَهُمْ قُلُوبٌ يَعْقِلُونَ بِهَا...

"Have they not traveled upon the earth so as to have hearts to understand with…?"(٣)

Here, the Quran enjoins travel so that our minds open in order that we may better :think and understand. Or for example this noble verse

...وَ يَجْعَلُ الرِّجْسَ عَلَى الَّذِينَ لاَ يَعْقِلُونَ

"And He places uncleanness (sin and unbelief) upon those who think

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١- – Surah Zumar ٣٩:٩.
٢- – Surah Mujadilah ٥٨:١١.
٣- – Surah Hajj ٢٢:۴۶.

not."(١)

These verses indicate that knowledge and the quest for it is a great virtue for a person and women and men are similar in this respect. Elsewhere, God Almighty :declares

وَ سَخَّرَ لَكُم مَّا فِى السَّمَاوَاتِ وَ مَا فِى الْأَرْضِ جَمِيعًا مِّنْهُ...

"And He has made submissive to you that which is in the heavens and that which is in the earth, all these are from Him."(٢)

All creations are compliant to humans and ultimately humans must subjugate them. .There is no distinction between men and women

From these verses I conclude that Islam regards learning and acquiring knowledge a great virtue in humans due to their humanity. Islam greatly underscores that we must

not be ignorant people—on the contrary we must be intellectuals and scholars. We also have many Hadith in this regard. Because learning is a natural and human right, .Islam accepts it, emphasizes it, and condemns the contrary

Therefore, we understand that Islam intends that women also seek knowledge. In opposition to these strong arguments, if one resorts to some narrations with weak credentials [sanad] and denotations [dilalat] it is an inappropriate and useless act. I believe that such weak narrations cannot stand up to the previous strong and secure .reasoning

There do exist around six or seven narrations on similar matters, which do not prohibit women from learning per se, but do seem to prohibit writing; they say not to .teach women writing and penmanship. There is no prohibition regarding learning

Women can seek knowledge, but regarding script there are a

۱- - ۱۰:۱۰۰ Surah Yunus.
۲- - ۴۵:۱۳ Surah Jathiyah.

few narrations that are either weak or are only attributed to one Infallible ('a) and do not have strong denotations or credentials. For example, the most clear of them is a :Hadith in which the Prophet of Allah (S) declared

«لا تنزلوا النساء الغرف و لا تعلموهن الكتابه و علّموهن المغزل و سوره النور.»

Do not quarter women in upper stories [ghurfah] and do not teach them writing. (Teach them spining and Surah Nur.(۱

I have investigated the credentials of this Hadith and even though it is clearer than some other similar Hadith, it does have weak credentials. In addition, it says do not accommodate women in upper stories! Has such a thing ever been practiced or has any religious authority ever decreed that women must not live in upper stories?! Then writing has been mentioned. If two things are to be banned in one statement, they

!?should be cohesive and similar; residing in upper stories and writing

Maybe if they had detrimental consequences they would be disapproved [makruh] due to their harm and if there is no harm in them, they cannot even be considered disapproved. Also, the following statement is in an imperative mood; does anyone consider learning to spin yarn and mastering Surah Nur to be obligatory in order that we may, based on this dictum, consider the previous injunctions to imply prohibition or !?haram

Anyway, with such narrations, which are indeed few and weak, one cannot stand against our previous strong and solid arguments; especially regarding the fact that writing

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.Usul-e Kafi, vol. ۵, p. ۵۱۶ - -۱

.is one of the definite necessities and preliminaries to studying

I believe that there is no problem in this matter and some people unreasonably adhere to the forms of these narrations and seek to bar women from studying. In addition, this was never the custom of women from the time of the Prophet (S) until now. In the age of the Prophet (S) there were many erudite women who sought knowledge; such as noble Zahra' ('a), and two of the Prophet's (S) wives 'Ayishah and Hafsah. Various narrations indicate that in addition to knowing how to read, Hafsah also knew how to write and would narrate Hadith just like many other women who were narrators of Hadith. Therefore, these Hadith cannot inhibit the decree to learn. Hence, I do not deem it necessary to scrutinize each and every one of these Hadith .and to inspect their context, meaning, and credentials

- What is your opinion about Hadith regarding deficiency of reason and weakness of ?faith in women

Reply: In books of Hadith there are instances where the faculties of intellect and

reason of women are considered weak. First, the numbers of such Hadith are few, maybe around ten. Second, they are both debatable in denotation and credentials. A Hadith that is in a book is not reason enough to follow that Hadith. In the science of Hadith, Hadith are divided into several types. For instance, a 'correct' or 'sound' [sahih] Hadith is a Hadith whose chain of narrators up to an Infallible consists

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of only righteous persons. A 'trustworthy' [muwaththaq] Hadith is a Hadith whose narrators are not righteous but are trustworthy and a 'weak' [dha'if] Hadith is one that at least one of its narrators is neither righteous nor trustworthy.

Sometimes a Hadith is Marfu', which means that it is attributed to an Infallible ('a) but its chain of narrators is vague and is thus set aside. Also, a Hadith may have no credentials at all; meaning that its chain of narrators is completely unknown. Among these, only 'correct' Hadith are considered authoritative. Some people consider 'trustworthy' Hadith to be authoritative also. However, other narrations are not proof. Now the problem is that we must go through and inspect these ten or twelve Hadith to see if there are 'correct' and 'sound' Hadith that can be considered authoritative among them or not.

On the other hand, sometimes we are sure that a Hadith is from the Prophet (S) or an Imam ('a); for example, we were witnesses ourselves or have definitive evidence that this Hadith has surely been stated by an Infallible ('a). Such Hadith are surely authoritative and substantive. However, sometimes a Hadith is not definite, and such are divided into mutawatir and non-mutawatir Hadith. A mutawatir Hadith is one that has so many parallel narrators from the Prophet (S) or Imams ('a) that it would normally be impossible for them all to collectively conspire to lie and forge the Hadith; for instance, a Hadith might be narrated by fifty or one

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hundred persons who directly heard it from the Prophet (S) or an Imam ('a).

If a Hadith has so many narrators, anyone would accept that there is no possibility for it to be a lie; especially when the narrators are from different cities and professions. Not many conspiracy theorists could come up with the probability that all of the narrators could come together and forge such a Hadith. Such a Hadith is considered .'mutawatir' and, because it brings about conviction, it is considered authoritative

Sometimes the utterance of a Hadith is not mutawatir, however, the narrators of the Hadith report the same thing using different words from the Prophet (S) or the Imams ('a) in a mutawatir manner. If such narrations are so numerous that they could not have been forged, they are also considered mutawatir. In addition, there is another type of Hadith that is called a 'singular report' [khabar-e wahid]. This does not necessarily mean that there exists only one report of the Hadith; rather, that there are so few reports that they do not cause conviction and certitude as to its veracity; in this case, it is still considered a 'singular report'. Even so, it must be noted that most of .our Hadith are singular reports

Another method for investigating Hadith is through their content; for example, we can realize from the utterance whether the Hadith is correct or not. The late Ayatullah Burujirdi, God's absolution upon him, would say: Sometimes we see a Hadith of which the text clearly

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shows that it is from an Infallible ('a) and sometimes we see a statement that, even though its credentials seem to be correct and reliable, obviously does not correspond to the dignity and status of the Prophet (S) or one of the Imams ('a) because they were the most eloquent of people. It is also such in various supplications [du'a]; for instance, the Supplication of Kumayl, the Supplication of Abuhamzah, or the Khamsah 'Ashar Supplication–other than an Infallible ('a) who could form such eloquent !?phrases

Of course, this ability of discernment(۱) can only be gained by a person who persists sufficiently in studying Hadith and becomes an expert in the field in accordance with their sense of the science of Hadith and their knowledge of other religious disciplines;

not through their own personal taste and partiality. In any event, almost all of our religious authorities consider ‘singular reports’ to be valid and authoritative; of course only those that are correct (sound), not those that are weak, obscure, and the like.

Another important point is that we cannot consider all correct reports as proof. Only a report that relays a decree or duty, gives commands or prohibits, proclaims an action as obligatory [wajib], recommended [mustahabb], prohibited [haram], or disapproved [makruh], and in short, assigns a duty to people can be considered proof. Obviously, we have duties that are revealed to us by the Prophet (S) and Infallible Imams (‘a). We must make every attempt to know what our duties are and when there

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١- - (ed.The ability to understand a true Hadith due to its divine eloquence).

is no way to reach certainty in this regard, the probability we gather from such narrations is sufficient and is proof enough for determining our religious responsibilities.

However, a Hadith whose accuracy is not certain and that Hadith is about belief and doctrine cannot be considered proof and credible unless one can become certain of its correctness because, regarding beliefs, we must reach conviction and certitude for it to be acceptable. Therefore, even though the Hadith may be correct, it is not certain and cannot be followed as a Hadith that reports a truth. Suppose according to a Hadith, an Infallible Imam (‘a) has instructed others to eat such and such fruit because it has a positive effect on the body. Such narrations, even if they are correct, do not cause certitude and are not jurisprudential; they are simply reports of various issues.

Accordingly, some of our Hadith are such. Hadith regarding women that state they are deficient in intellect or faith are of this sort. They are not proofs that bring about a duty or commitment; their issuance by the Infallibles is not certain or mutawatir; there are no sure indications of their accuracy; thus, they do not entail compliance. Hence, we cannot say that they are authoritative and must be put into effect. We

cannot absolutely refute them, but we cannot accept them or attribute them to the Legislator [shari‘] i.e. God either. Because such Hadith regarding women are not mutawatir or cannot be credited to an Infallible ('a) with

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certainty, we cannot state that Islam believes that women are deficient in intellect or faith. Based on a probability and likelihood regarding this important matter, no one can put such a thing into effect.

In places where we are not certain, we must investigate and research the matter. Thus, we should test women to see whether it is really true whether they are inferior in faith or intellect or not. These narrations can be considered as conjecture and we cannot impute these thoughts to Islam. Were women such as Fatimah ('a), Khadijah ('a), Zainab ('a), Sakinah ('a), Maryam ('a), and Asiyah ('a) who were great and some of whom the Quran has greatly exalted truly so?! Can we say that women throughout history who had greater minds than men and had great influence were weak in faith or lacking in reason?! No, we cannot say this. Therefore, the generality of this statement is impaired. If we wish to make a correct evaluation, we must say that among women there are those of weak minds and weak faith, just as among men.

Another aspect to this discussion is the question regarding the interpretation of 'reason' or 'intellect' that is spoken of in these Hadith? We have an 'immanent intellect' ['aql-e dhati] that humans possess, but other animals do not, which is the point of excellence of humans over other animals. This intellect is the incorporeal soul of the human being and it provides humanity with the ability to think in abstracts, generalities, and

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the like. This immanent intellect is characteristic to all humans, both male and female.

Another type of intellect is 'acquired intellect' ['aql-e iktisabi] which is also called the 'social intellect' ['aql-e ijtima'i]. It is the intellect that a person gains from social

interaction. Everyone has an initial intellect that evolves and is perfected throughout their lives. The more a person acquires knowledge or gains experience, their intellect grows and becomes more complete. Acquired intellect is something that all human .beings, women and men alike, can cultivate within themselves and perfect

All humans are more or less equal in immanent intellect; men and women are no different in this; they are both human and sapient. We have previously cited various Quranic verses in this regard. Both can also have acquired intellect. If we keep a man in a closed and restricted environment he will not mature intellectually; however, if we give him responsibilities in the society, his mind will grow. If a man does not acquire knowledge his intellect shall be lacking and if he studies and learns, his mind will mature. Women are the same. If women are not active in the society and live in a restricted environment, it is evident that their minds will not become complete. On the other hand, if they play an active role in the society, their minds will become more .complete

Thus, we can state the case in this manner: Assuming the narration is correct, if for example the Prophet (S) identified women as deficient

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in mind and religion, he was referring to the women of that time; meaning that those women, due to their deprivation and lack of activity in the society were like that at that particular time. None of these narrations stated that women must stay like this; rather, Hadith encourage people to further their knowledge and faith. Women can become higher than men and experience shows that women who have roles in the .society have more mature minds

Naturally, this does not mean that any type of presence in the society develops intellects. There are many women in various societies that have much freedom and presence in the community; nevertheless, their minds do not develop. Minds develop comparatively in both women and men through social responsibility, acquisition of .knowledge, etc

Of course, there is no doubt that women have stronger sentiments and emotions; however, having stronger emotions is not a point of weakness. They are emotional, but emotions are not in opposition to reason and thought. A person may be emotional and also be very thoughtful. If you keep a woman at home and she only trains her children, her emotions will become stronger, and her intellect might not develop very much. However, if this same woman were to become a scientist or scholar, she will .become strong in both fortes. Then she could be said to excel over men

Regarding the fact of whether there is a physical difference between women and men, in short we must say: Women have no flaw

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in their genesis. The differences are not such that we can say women are 'defective in mind'. This is something that is said of someone who essentially is not sane. It also cannot be said that women are weaker in intellect than men because experience has shown that wherever women have performed jobs, they have performed them as .well as men

Regardless, intellect itself, which is the incorporeal transcendent soul of humans, is equal in women and men. The characteristics of intellect which are understanding, reasoning, deduction, and such are possessed by both males and females. We cannot say that one gender is dispossessed of one; doubtless, women may be stronger in some abilities and men weak in the same, and vice versa. Even so, these differences are not reason for being considered flawed. One gender may be stronger in one aspect and the other gender stronger in another. Each gender is also the same among itself. For instance, sometimes a man may have a strong memory and other men may be stronger in intelligence, art, humanities, etc. The same is true of women. .We cannot consider diversity in capacities and abilities to be flaws

- In Islamic texts and references, it seems that women are considered ignoble, second-rate, and subordinate creatures and in genesis and in familial and social life, men appear to be noble and superior. As examples, there are differences between women and men in inheritance, blood money [diyah], etc; women must obey men

under some circumstances; as a

condition for marriage, a virgin woman must have her father's or paternal forefather's permission; a wife may not exit her home without her husband's ?permission, and similar issues. Is this understanding correct

Reply: There are various issues in the above question, each of which requires a discrete discussion and each must be clarified in its own place. There are some issues that cannot be attributed to Islam at all and we cannot judge Islam based on them; The whole being of women') "المرأةُ شرّ كلّها" :for example, there is a narration that claims is evil'). Such narrations have no credibility for numerous reasons. There are issues regarding women such as the fact that women need their husband's permission to exit the house. This needs to be discussed. What does it mean? Under what conditions? Is it conditional or absolute? Inheritance, marriage, and such issues each .require a separate and lengthy discussion

الرِّجـالُ قَوّامُونَ There are narrations regarding the imperfection of intellect; or the verse which announces that men are the protectors and supervisors of women. (۱)...عَلَى النِّساءِ It would not be right to add all these up and come to a conclusion without a .comprehensive and in depth review of Islamic teachings and decrees

Islam does not consider women subservient and second-rate creations and some people's conjectures in this regard are incorrect. They have ascribed things to Islam that have no proof or they have incorrectly understood various Islamic documents and references. They have judged Islam according to fallacious perceptions. In order

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۱- - ۴:۳۴ Surah Nisa'.

to resolve these doubts and misgivings we must explain religious issues all-inclusively, .purely, and completely in order to reveal all of Islam's rightfulness and beauty

It is wrong to say that Islam is patriarchal. Islam has prorated duties and Islam prefers tasks that have been given to women. For example, training children is a woman's characteristic and men can never reach a women's level in this respect. In the society also some jobs are more suited to women and others to men. We cannot deny this suitability, as it is due to the discrete genesis of men and women. However, this does not mean that women must be underlings and men must have the last word. If women utilize well their abilities and the rights and privileges that Islam has given them, they have a fine situation and much dignity both in the society and within their .families

• Some Hadith prohibit men from consulting with women. Are such narrations correct?

Reply: We do have Hadith that prohibit consulting with women and some even say .that if you are in doubt, consult with a woman and do the opposite

:(Such a Hadith has been attributed to Amir al-Mu'minin ('a

«اياک و مشاوره النساء الّا مَن جُرّبَت بکمال عقلٍ فانَّ رأيِهن يَجُرُّ الى الأفن و عَزمهن الى وهن.»

I warn you of consulting with women, except those whose complete intellect you have (experienced. Surely their opinions make a person timid and weaken their resolve.(1

Regarding such Hadith, of which we have maybe ten or twelve, I must point

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.Bihar al-Anwar, vol. ۱۰۰, p. ۲۵۰ - -۱

:out several issues

First, as I have previously stated, all Hadith are not credible. Only sahih (correct or sound), muwaththaq (trustworthy), or hasan (good) Hadith are considered credible. Ḍa'if (weak), mursal, marfu', majhul, maj'ul and such Hadith are not authoritative proof. Some Hadith are dha'if and as such are not credible even though some such Hadith may be right. Therefore, we cannot consider them certain due to their

.numerousness

Second, among uncertain narrations, we only give credit to those that give us instructions not those that notify us of a fact. For instance as it says: Do not consult with women because it will make you weak. The tone of these Hadith is not instructive .such that they entail a religious decree or duty; rather, they are recommendatory

Another issue is that some of these Hadith are absolute and others conditional; for meaning: Do not consult, save with a person «الّا مَن جُرّبَت بکمال عقلٍ» :example, it excludes whose complete intellect has been proven. If we wish to form a rational conclusion from these Hadith, we must say: At first do not accept the consultation of women, because their opinion is typically weak and makes one timid, except those whose competences have been proven. Thus, it is clear that one may consult with and act .upon the opinions of wise women

There are also similar narrations regarding men. There are narrations that recommend consulting with wise persons and not to consult with injudicious individuals. Thus, the same has been said of men. Ultimately, we

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can say that if a person wishes to consult with another, whether male or female, they should first get to know the person, whether he or she is benevolent, wise, and .righteous and there is no difference between men and women in this respect

The Prophet (S) and Imams ('a) themselves consulted with women on occasion. Such as regarding the Peace of Hudaibiyyah when the Prophet (S) signed the peace treaty with the polytheists, he and his followers had already put on their pilgrim's garb in order to make pilgrimage at Mecca and circumambulate the Ka'bah. However, according to the treaty, it was agreed that the Muslims would not do the Hajj that year. The Prophet (S) instructed his followers to become muhill (to take off their .(pilgrim's garb and withdraw from state of the pilgrimage

This was very hard for his followers because when a person becomes muhrim (enters

the state of pilgrimage) they should only become muhill after they have circumambulated the Ka‘bah. Withdrawing from the state of pilgrimage was not acceptable to them. Thus, even though the Prophet (S) himself clearly instructed them .to become muhill, they did not obey him. The Prophet (S) returned to his tent

Umm Salmah, his wife, declared, ‘O Prophet of Allah! Why are you disturbed?’ He replied, ‘I gave this instruction and the people did not obey.’ Umm Salmah suggested, ‘O Prophet of Allah! Sacrifice a sheep, and transgress by becoming muhill and do not ,pay attention to what the people do. Thus

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.the Prophet (S) did this in their presence and everyone followed his lead

There were also many instances where Ali (‘a) consulted with Fatimah (‘a). Regardless of such Hadith, the Imams (‘a) would consult with women. However, due to the conditions of the time, because women were less active in the society and had less social experience it was advised that people not consult with women, because they were not complete in their social knowledge and understanding; however, these Hadith were not said for the purpose of keeping women from entering the society. The presence of women in the society leads to development of their minds and better .judgment

Another point here is that if we maintain that exceptions contain important meaning, when a narration instructs against consultation with women other than those with proven complete intellects, we can deduce that taking counsel from women with .verified wisdom is not only not prohibited, but it is even recommended in Hadith

Nevertheless, Islam does stress and endorses consultation and it is helpful for a person to consult with anyone who is competent and worthy. In addition, various Hadith advise consultation with women and children regarding their own affairs, because they know more about their own issues. Basically, if we wish to discuss narrations regarding deficiency of intellect and similar issues, we must individually .scrutinize each Hadith on this issue

In various Hadith there are sayings regarding the undesirability of the presence of • women at Friday Prayer, collective prayers, funeral processions, and the like. Is

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the presence of women in such activities absolutely prohibited or were these Hadith ?due to the circumstances of the time

Reply: Such Hadith reject the necessity for women to perform actions that are sometimes difficult and arduous for them; for example, in a Hadith that Jabir ibn Ju‘fi :cites from Imam Baqir (‘a) it is said

«ليس على النسـاء أذانٌ و لاـ إقامةٌ و لا جمعه و لا جماعه و لا عياده المريض و لا اتباع الجنازه و لا إجهارٌ بالتلبيه و لا الهروله بين الصفا و المروه و لا استلام الحجر الاسود و لا دخول الكعبه.»

Adhan, Iqamah, Friday Prayer, collective prayer, visiting the sick, escorting funeral processions, saying Talbiyah loudly in Ihram, running between Safa and Marwah, touching and kissing the Black Stone [hajar ul-aswad] (in the Ka‘bah), and entering the (Ka‘bah are not obligatory for women.(۱

Most of the narrations use similar wordings. My understanding of the matter is that because of various complications and preoccupations that women have, such as fostering and training children, Islam sympathizes with them; thus, Islam has released them of various obligations, but has not prohibited those actions. In this way, Islam has shown consideration for women. Consideration is not restriction. It does not .say: do not; rather, you do not have to. If you can and it is suitable, you are able

Of course, some Hadith are not like this. They might say, for example, a woman's prayer is superior at home. By considering all such Hadith, it seems that they intend to appease women so

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.Bihar al-Anwar, vol. ۱۰۳, p. ۲۵۴ – –۱

that they do not feel that they are sustaining loss if they cannot present themselves

for collective prayer because it is greatly encouraged. If they had told women not to present themselves for collective prayer, women would surely become upset because .they felt obliged to pray collectively

These narrations wish to console women in that, if they have a problem or reason for not attending collective prayer, they can pray at home and God will bestow upon them the same reward and excellence. My opinion regarding all such Hadith is the same. Of course, I do not consider it unlikely that such Hadith were stated due to prevailing .conditions and problems for the presence of women in such affairs

The credentials of narrations that state that it is better for women to pray inside their homes must be investigated for their correctness and credibility. If their credentials are correct, that it is said to be better for women to pray inside their homes can be considered to be intended for times when women cannot attend collective prayer so .that they are not upset because of the excellence and rewards they have lost

In consequence, the presence of women in cultural and political centers such as mosques and various other assemblies, and their participation in social activities are desirable and advisable, and there is no problem with these things. In fact, they are responsible in these affairs as members of the society and must fulfill their roles. Women must perform these activities, such

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as participating in communal demonstrations and performing behind the lines support .tasks, while observing the terms and conditions of such work

What is your opinion regarding social, political, and economic activities of women • ?and their employment in current conditions

Reply: Regarding social, political, and economic activities of women I should first say that like men, women can be active in all social, political, and economic arenas and there is no religious prohibition in any of these areas. There are however two points of controversy. One is the field of judgeship: some religious jurisprudents regard it

permissible for women to be a judge, and others do not. Also there is disagreement as to whether women can hold high government offices such as the presidency. However, they are completely free and without restrictions in all other fields. Of course, keeping their characteristics in mind, women must choose a compatible and .suitable job

One of the characteristics of women that I previously mentioned is their elegance, beauty, and delicateness; these are some of their merits. Not only are these not deficiencies, they are perfections. Preserving these merits is to their own advantage, and to the advantage of their families and ultimately, the society. Accordingly, performing heavy jobs that are not compatible with these characteristics is not recommended, including coarse jobs such as trucking, desert jobs, road and building construction, long and taxing overnight jobs, and jobs in polluted environments that harm the beauty and delicateness of women such as ironworks, mine working, .equipment mechanics, etc

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Also, laborious agricultural occupations that put health at risk and blemish skin by long hours in the sun are also of this type. It cannot be said that such lines of work are .prohibited for women; nevertheless, they are not in their interests

Another quality in women is their emotionalism and this again is not a weakness but perfection. It can be a source of many beneficial effects. Of course, some men are also sentimental; be that as it may, women are more so. When choosing a line of employment, it is better that women refrain from professions that are not compatible with their emotionalism. A military commander must give the order to attack, kill, and destroy. Naturally, some people will get killed. There will be wails and screams. Hence, an emotional person might be influenced; their emotions will clash with their duties and will harm the well-being of the country. Also, professions that require execution of disciplinary punishment and sentences such as dealing lashes are not compatible with the delicate nature of women. They may violate their duties or suffer the loss or .detriment of their emotions and mentalities

Naturally, there are exceptions. Some women may not be like this, but most are. The Hadith regarding judgeship of women and jurisprudents that regard this profession unsuitable for women effectuate from this truth. It is natural that this profession is not suitable for women because, as a rule, one side will lose. A person who loses ,sometimes grieves, pleads, weeps, makes threats

sends people to beg their case or intimidate the judge, or exhibits a meek or oppressed attitude. Characteristically, due to their compassion, sympathy, and kindness women take pity and might be influenced. Even though there may be .exceptions, the law must encompass the majority of circumstances

Another attribute of women is that they are more and better prepared for training and edifying children. Of course, men also are fit for this and do have this duty; however, the tenderness and affection of women helps them to be more worthy for this task. Even though training children is a common duty of a father and mother, the important role of women in this affair cannot be overlooked. If there is no husband, a .mother can still train her children but the opposite is extremely difficult

Women must never forget this basic power and merit that they are prepared and able to train children. They must endeavor to choose a job that is not in conflict with this human responsibility and great service. There may be no work more important and influential for the welfare and happiness of the entire society than the profession of training human beings. A pivotal issue that women must anticipate is the perseverance and preservation of the institution of family. The responsibility to uphold the family is for both men and women. Men must choose jobs that do not harm their families. Women also must be careful that their occupation does not clash with the perpetuation of the

.family

Another issue is that it is not expedient for women to work in jobs that entail excessive contact and relations among males and females because in addition to causing mental pressure and work delays, immoderate mixture and relations of the sexes may bring about corruption and damage the delicate fabric of the families just as we witness in the West. In my opinion, these aspects necessitate that women observe restrictions in their work. Again, I underscore the fact that it must not be concluded from this discussion that some occupations are forbidden or haram for women; rather, heeding these issues prevents problems for women, their families, and their society while they can still work and have an influential presence in the .community

On the other hand, some jobs are completely suitable and even advisable for women. These include professions in teaching which do not incorporate any of the above hazards. Women can occupy jobs in all tiers of education and training, from the most elementary and rudimentary levels to the highest and if possible in completely independent and self-governed environs. These are the best of jobs which are compatible with their nature and elegance. As I have previously stated, some lines of occupation are necessities for women. Women must endeavor to be self-sufficient in all affairs regarding health and treatment, including education, administration, and implementation. There is no problem with them providing services for men also, but it .would be very good if they were independent of men in this area

Other

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fields of work that are suitable for women include scientific, literary, cultural, and artistic activities. Work such as scientific research in various fields, writing, painting, sewing, and carpet weaving are all quite appropriate for women. They are also compatible with housework and rearing children. Some people might think that carpet weaving is not an appropriate job—but what is wrong with it? It is a delicate and beautiful undertaking in which a person creates gorgeous works of art with their hands and also helps their own livelihood and their country. Nowadays, women can

also do many interesting and useful tasks with a computer in scientific and artistic fields. Regardless, I suggest that women not stay unemployed. I would like to see all .women work at their own leisure; however, they must observe the necessary criteria

• What is your opinion regarding the profession of household management?

Reply: A policy of the previous regime was to annihilate household management as a profession and promote it as a type of unemployment and this lowered its status. Of course, this has changed to some extent after the Revolution. Even so, housewives are not considered as part of the workforce and are not influential in economic growth and development in official statistics and their output is not considered to be part of the gross national product! All in all, we might say that the role of housewives is .disregarded in human and social development

Housewifery is essential for the survival of families. It is not merely the performance

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of household services—it is a much more significant matter. Maintaining and managing this establishment, which also includes human aspects such as taking care of one's husband and children which we could call wifecraft and mothercraft respectively, are primary and chief requirements of all societies. It is surely not frivolous or futile but exceedingly valuable and precious. If the internal affairs of a .household are not managed well, the family is greatly harmed

Normally, women take the responsibility of housewifery upon themselves. From a financial point of view, the cost of this occupation is considerable so that if neither the man nor the woman of the house takes it upon themselves to work at home, the management of the household will become crippled and someone else must be found to manage the home. In this case, a large salary must be paid for fulltime management of the household—and even so no hired household staff will make the .same efforts as the lady of the house

The matter of taking care of children is also entirely different. If a couple chooses to

send their children to a childcare center in order that they care for them like a mother, the couple must pay a large portion of their salary for this. Therefore, housewifery has economic value and both men and women must keep this in mind. This is why I believe housewifery is a very important and respectable profession and men must appreciate the value of a housewife. Husbands must realize that due to

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the work of their wives, they are exempt from great expense and it would be good and worthy for husbands who are wealthy enough to give their wives the money that .they save them

In Iran it has been legislated that if a man and woman choose to divorce, half of the wealth the man has gained after marriage belongs to the woman. If we judge righteously, it is evident that this is mostly fair. Women must be optimistic and hopeful regarding their lives; they must know that they are truly partners of their husbands in life. Some women decide to work outside their homes because they fear that if their husbands choose to divorce them they will have to leave his house empty handed. Hence, we must respect women and truly appreciate the value of their work. I advise women to give top priority to the home and household management and, as long as there is no necessity, I recommend that they refrain from choosing occupations that .harm the household management

In general, housewifery can help the society in two other ways. First, the endeavors of a mother at home and her struggle to correctly train her children helps the children grow well in a family full of love and affection. A child that is saturated with proper love and is nurtured with proper training usually does not go after corruption and does not become tainted and can be useful to the society. Truly, housewives manage the future of the

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society. All the services men do for the society is a result of the endeavors of women. Imam Khomeini (q)(۱) also stated, 'Men ascend to heaven from the laps of women'.

This means that if men do something important and attain great ranks it is due to the .services and training of their mother and this is no laughing matter

Second, in addition to the fact that the work of women at home is, in itself, beneficial and necessary, it influences the quality of other people’s work. If the husband and other members of the household live in a warm and congenial environment, they can be more successful in the society—in scientific research, political work, economic endeavors, and everything in general. Thus, housewives are full partners in the .activities and successes of their husbands

If it were not for the support, sympathy, and hard work of women, Mr. President, Mr. Minister, or even Mr. Scientist who work outside would not be very successful. In truth, their wives have as much part in their success as they do; both regarding the social value of the activities and their outcomes. It is very delightful and beautiful for ministers to be able to consult their spouses at home on various issues, to gain morale .and help from them and to depend on them

Therefore, even if a housewife does not get out much but is able to have a good effect from her home, she is truly influential in the economics and politics of the

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[.This is short for quddisa sirruhu, which means may his grave be sanctified. [trans – –۱

society. She must not belittle her existence or think that success and service can only .be achieved in jobs outside the home

When ‘Allamah Tabataba’i’s (q) wife passed away, he wept much. One day I told him in private, ‘We must learn patience and forbearance from you. Why are you so agitated?’ He replied, ‘The truth is that my distress for my wife concerns my feelings and devotion for her. This woman gave me such help and support that I can never forget her.’ After a while he told me of his difficulties regarding the time he lived in Najaf until he got to where he said, ‘In order to write my exegesis, sometimes I would concentrate and work for eight hours straight. Sometimes I would have to

.contemplate an issue for four hours

On the one hand, I was tired and on the other hand if someone wanted to come to me and talk my train of thought would be broken. Then I would have to deliberate all over again. My wife understood this. She would always leave the samovar on and when I would go into my room to work in the morning, she would not disturb me. She would .manage the house and do the housework

At the outset of each hour she would bring me a cup of tea and without saying anything she would put it before me and leave. She would do this as long as I was in my workroom. If she had not

helped me in this manner I would not have been able to perform my scientific research as I have. She was a partner in my work and that is why I am upset. Because how can I forget her kindnesses?' The lamented 'Allamah said this and started to .weep

The great thinker 'Allamah Tabataba'i considers his great exegesis, Tafsir-e Al-Mizan, indebted to the sacrifices and devotion of his wife who would correctly and wisely manage the household. If this woman was a discordant person how could 'Allamah Tabataba'i have performed his work?! Doubtless this woman is a partner in all the accomplishments of the 'Allamah; both in worldly aspects and otherworldly rewards. In a meeting where I was talking about the excellences of the 'Allamah I mentioned this story and said that we must also respect and be grateful to the 'Allamah's wife. !May God bless both of them

Managing the household is not an easy task. It is an art; an art that not all women have. Unfortunately, in our society the value of the profession of household management is not appreciated. This important job must be seen as an independent .discipline and requires special research and training

For example, there must be a class called household management in high school and

boys and girls must study this as part of the curriculum. Many women wish to be good housewives but do not know how. I completely endorse that classes be established in ,high school and even university in which youths

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both young women and men, can become experts and authorities on the subject. I have also said this before: it would be good if every man and woman attended a course regarding home management, 'spousecraft', and other necessary issues before marriage in order to lessen conflicts and so that they utilize their facilities and .capacities in the best possible manner

Women must observe precepts when choosing an occupation inside or outside the home and they should also be aware of the dignity of every position. For example, even at home it is not in the interests of women for them to do heavy or dirty jobs. The occupational laws of the country must adhere to these points and amenities must .be prepared in the interests of women and families

Some women are inclined to heavy-duty professions and disciplines and if we tell them that these are not in their interests they consider it to be a personal insult. This might be an extreme reaction to past restrictions, which makes them deem it of great .value to take on jobs that are more suited to men

However, the restrictions that we have in mind for women are not for the reason of belittling them or considering them weak or flawed beings. Our reason is that some professions are more suited to the special genesis of women. If a woman is prepared to endure hardships and become, for example, a mechanic of heavy machinery, well, .that is her own choice and it is not haram

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However, there are better jobs for her to do and they are more advantageous to her .and the society

The truth is women were very restricted in the past and they were prohibited from

jobs that were suited to them. This caused an opposite reaction and now some women say that men think that they cannot. So they say: We will do these jobs to show men that we can indeed. In order to resolve this problem, first we must realize the true value of the jobs women do; for example, we must conduct extensive cultural promotion regarding the importance of housewifery. We must encourage, praise, and .honor the profession of household management

Second, as I have mentioned, men must realize the worth of women and consider them full partners in their income and provide them with their fair share so that women sense their true importance and feel secure and so they do not consider jobs .suited to them restrictive or undignified

Regarding the effect of unsuited occupations on the souls of women I must say: It is hard for a woman to preserve her female characteristics, delicateness, and spiritual elegance in strenuous and punishing conditions and coarse jobs and effectively put distance between impersonal work demands and the softness and calm that she must apply at home and in training her children. For this reason, it is better for men to perform jobs that entail such hardships, because they have more endurance in these areas. When each person takes up

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a part of an undertaking which is more suitable for their mentality and abilities, great works can be completed with the participation of both genders. Everyone has a part in .managing the society; however, women in one way and men in another

If complete facilities are provided for women in areas that are suited to them and they are encouraged to become self-sufficient in these areas, it would be far better for their identity than seeking jobs that are not in their interests. Even though we will not ban these professions, it is not necessary for us to encourage them. If we express gratitude for the positive advances of women, they will think about these things themselves. For example, women can have positive roles in political arenas such as the parliament. They can perform cultural work and have influence although in my .opinion there are some cultural jobs that are not in the interests of women

• ?In what sort of artistic areas can women become active

Reply: In general, women have the capability and ability for artistic work; however, every job is different. Some jobs are alright; such as painting, sewing, writing, etc. On the other hand, some jobs may sometimes be problematic for women. For instance, acting and the presence of women in some roles and stages and coming before millions of people can put the stability of their family life in jeopardy. I have seen time .and again that the shared lives of such individuals has ended in divorce

Sometimes

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actresses call me and talk of such problems. Here, I must advise women that even if their husbands agree with their artistic endeavors, they must completely perceive their husbands' feelings and when they choose to present themselves on stage, they must accept jobs that do not cause sensitivity. If their husbands are not satisfied, their common life shall be shattered. Their children will become motherless or fatherless. Regardless, great care must be taken in artistic and cultural work so that .the talents of women are utilized but no moral, social, or familial problems arise

These days, the inclination for artistic activities, especially acting, has risen among youth and young women in particular. Acting is one of the professions and fields that receives much attention and has many supporters. On the other hand, due to the points of moral vulnerability in these fields, which sometimes influence the workplace, naturally, religious persons look upon such fields with doubt and seek them out much less. This results in fewer religious individuals in artistic and cultural areas. This is a prevalent problem and under such conditions we cannot be successful in the cultural .encounter with foreign countries

We need films, cinema and television. We must defend the positive aspects of our culture. Many values have been weakened in the West. Modesty is a human value. We must do something to preserve our values while also providing for our needs and requirements. Adhering to religious precepts is very instrumental. For example, if it is

necessary for a

young woman to play a part in a movie, adherence to religious precepts results in less sensitivity. If moral issues and Hijab are observed, laughter and allurements that are out of place are avoided and matters of mahram and non-mahram are completely observed, it is evident that such acting will not result in calamities and negative effects in families and the society. If moral limits are honored it is both to the .advantage of the actors and the society

Performers must not think that viewers will get only what the actors intend. Viewers perceive more generally. Polite, reasonable, and honorable behavior between male and female actors teaches women and men who are watching the scene to act the same. On the other hand, an undignified and immodest performance between actors also sets a negative example for the society. Thus, we who wish to promote our culture and influence others must realize that film-making and acting are very delicate matters—much more delicate than we think. Sometimes artists pay less attention to such matters and desire more that their work be interesting or entertaining for viewers; whereas, if they conform to these issues, they can greatly .help improve the morality of the society

Naturally, negative roles are sometimes necessary in movies and observance of ethical and religious criteria ties the hands of the artists in fulfilling their roles as desired. Sometimes actors show demeanors that are not typical of the personality of their role; for example, they act tactlessly and perform rude and

loathsome gestures in a Chadur and act dignified and pleasant in inappropriate clothing. Nevertheless, it seems that this issue requires special care and original .methods and approaches must be formulated

In this regard, I advise that positive aspects are shown as much as possible because

whether we like it or not the negative aspects are influential. Even when the film-maker intends to criticize the negative points by presenting them, some viewers take pattern after these same negative points. The training background of some people is such that, for example, when they see actors swear, curse, and use foul language, they learn, imitate, and take pattern after them even if one's intention is to criticize this behavior. If a positive character and a negative one is introduced, some people incline toward the good protagonist and set that one as their role model and others, according to their temperament, lean toward the antagonist—the one that was intended to be condemned. Hence, I advise that negative aspects be used as little as .possible and only where necessary

• What is your opinion regarding political activeness of women?

Reply: The presence of women in political arenas can have a decisive role in the society. If women congregate they can be very influential in various orientations. In the demonstrations at the time Islamic Revolution and also arenas after the Revolution such as war and elections, women proved that they are very influential in some areas. When we see the votes of the elected, we see that women had

great unity and presence in order to bring about such results and this is very important. Women can have a fateful role in choosing the president and can cause the .election of a president other than the one men might have chosen

This is no small matter. There is no problem with women having more presence than men in the parliament. Their presence on the seats of the parliament has been satisfactory until now. The important thing is: How active are they? If women can bring representatives that truly have authority and influence, and are indeed active it would be very good because all members of the parliament are not so active. Only a minority are truly active, so if women can increase the active members by sending in active and thoughtful women, this can greatly help them defend their rights even though nowadays many men do defend the rights of women, even more than women .themselves

Another issue is the organization of women. Having organization is very good because people work better when organized, especially when they spread their organization throughout the country—they can both select better representatives and better demand their desires from their representatives. This can be very influential and cause men to think higher of them. I believe the organization of women must be thoroughly thought out. First, it should not be like a union or be gender-biased in that they only think about themselves and about defending their own rights because if it is like this

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.it will only restrict them

Second, in addition to supporting the true interests of women, they should have a hand in the main affairs of the country. Women must know who to choose and they must keep in mind all economic, cultural, and religious issues of the country. If women do not restrict themselves to only women, and work for the whole society, they will have more influence and this organization will cause them to gain power and lead to .men counting on them more

• ?Can women also hold positions of judgeship or government rule

Reply: The two issues of judgeship, government rule (women being at the head of the government), and such are religious jurisprudential issues that have been analyzed and explored in books on religious jurisprudence [fiqh]. Jurisprudents have varying opinions regarding these matters. Some declare them permissible, others haram, others makruh. This is a matter of controversy. First we must note that these issues .(are matters of taqlid (following a religious jurisprudent or faqih

Our tradition is one of taqlid and religious jurisprudence. In taqlid-related issues we must refer to the religious jurisprudent that each of us has accepted and ultimately they shall give the decisive opinion. Therefore, when it is stated in a speech or magazine that something is permissible or not permissible, some become confused. In effect, all disciplines have experts and the experts of these issues are religious

.jurisprudents

The second issue is that my recommendation to religious jurisprudents is that they should see that times

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have changed and many things are different from the past. Fundamental changes have been made. Iran is not separate from other countries. Women are not apart from other societies. We can no longer govern women like in the past. The people of our society have become acquainted with the conditions and thoughts of other people .of the world and their expectations have risen

We expect the great faqihs to examine women's issues with a wide-ranging and liberal view and to clarify our responsibilities regarding these matters based on solid and substantial jurisprudential sources of reference so that there is no need for the .opining of non-authoritative and possibly unrighteous persons

Of course, other scholars can, if they are well-versed in religious jurisprudence and heed such issues, discuss these subjects. Such discussions can be useful for religious jurisprudents and might influence their religious opinions. However, the ultimate decision belongs to religious jurisprudents and the bounds of the tradition of religious .jurisprudence must not be broken in jurisprudential issues

Common Rights of Women and Men

point

- ?What are the common rights of men and women

Reply: Islam does not regard women and men any different in their humanness and it considers this principle so obvious that it does not feel the need to openly stress this issue in the Quran or Hadith. Hence, whenever a Quranic verse or Hadith addresses humans, both men and women are intended. At the advent of Islam even in 'civilized' nations there was a controversy as to whether women were human or not

.or perhaps half-human

The case of human rights has only become global for about a century. Assuredly, Islam has discussed this topic from the very beginning and has determined and validated various rights. The issues I shall subsequently discuss regarding women's rights are the same that are sometimes discussed as human rights, which are common among women and men. Here I shall itemize several of the most important :points

The Right to Live and Exist .۱

As living beings, humans have the right to continue their lives and no one has the right .to take this right away from them without religiously and legally legitimate grounds

The Right to Freedom .۲

Every person, man and woman, has been created free and this freedom has been ingrained upon every soul. No one has the right to deprive any person of this freedom unless it causes conflict with the freedom of others or divergence from their own or .the society's interests

The Right to Utilize Natural Resources .۳

We live in a world that requires of us various needs: water, air, food, clothing, etc. We must be able to consume food, oxygen, and the like. Resources such as mines, forests, jungles, and seas belong to the people and naturally, humans have the right to utilize them. No one has the right to prevent us unless this right conflicts with the .rights of others. It is the same regarding the right of residency

Because humans require a home, naturally, they have the right to obtain a home for themselves within the boundaries of their country or city, or anywhere else for that matter. Of course, it

is established that this must be according to a specific regulative system, which is a necessity for social life and required for providing public interests.

In all of these points, we state that due to our human nature and according to primary principles, we have such rights. Naturally, if our use of these rights entails violation and infringement upon the rights of individuals or the society, they must assuredly be restricted. For example, the right to live of a person who performs acts of aggression against the lives of others or puts the security of the society in danger cannot be said to be respectable and secure. In fact, such persons divest themselves of this right and civil law, whose rank is just after human rights, shall determine what must be done regarding them.

۴. The Right to Health Care and Sanitation

In order to protect their lives and health, as humans, women and men have the right to enjoy a healthy and hygienic environment and make use of what they require for treatment and eliminating illness. This is a natural right of all humans and no one can legitimately obstruct them from it.

۵. The Right to Employment

point

A prerequisite for providing living expenses is work. Thus, in order to resolve one's needs, men and women have the right to work and the fruits of every person's toils belong to themselves. Whoever works for another person must receive fair wages. Fair wages means compensation for the amount of work that is done, regardless of whether the employee is man or woman, black or white.

Every person

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has the right to receive compensation for the work they do. One cannot say to their employee: because you are a woman you must receive lower wages for the same amount of work. Islam is completely against this. According to Islam, if a woman

works at home or anywhere else, she must receive the same income that a man receives. In my opinion, women are oppressed in this regard all over the world because usually others take advantage of the needs of women and employ them and .instead of a fair income they give them less pay than a man

Unfortunately, this is also true in the West and women are used as an inexpensive workforce. The concept of just rights is not the same as equal rights. Each person must receive as much pay as the value of their work. A female worker might work as much as a male worker or even more and she must receive an equivalent amount of pay for the work she does. Gender must not be a criterion—the work, its conditions, .and its yield must be the basis for a person's salary

A Sympathetic Word

In current conditions, we have hundreds of thousands of university graduates in various disciplines, many of which are women who are usually inclined to work. With the pretext of the equality of the rights of men and women, those in charge prefer to employ women rather than unemployed young men because they are content with less pay and are more compliant. With

the current high rates of unemployment, the numbers of unemployed young men .rises every day

Women are not willing to marry unemployed men and every day the number of young women and men who cannot marry increases. The age of marriage has skyrocketed and many people are completely deprived of marriage, forming a family, and raising children and must live their whole lives in solitude. Single life is very hard and has .many detrimental side effects

With the current situation, the foundations of family are in great jeopardy. Government officials must find a remedy for this problem. Also, women must not neglect the issue of timely marriage and formation of a family when choosing a university field and job. They must cooperate with men otherwise they will have many

.regrets

The Right to Possession and Enjoyment of Property .۶

When a person works legitimately, they become the owner of the proceeds of their work. The results of one's work do not belong to anyone else. By way of example, if a woman works and her husband or father takes her income, this is oppression. Of .course, if she chooses to spend her wages for her family she may do so

However, due to the fact that the property belongs to her as a result of legitimate means, whether through work, inheritance, donation, etc., she has the right to enjoy or dispose of her properties in any way she likes and her femaleness does not result .in the restriction of her right to possess and utilize assets

If a woman obtains

some goods and chattels and chooses to give it as a gift, start a business, hoard it, or donate it for God, she is free to do so. However, there are some things that neither men nor women may do even with their own money, such as if a person wishes to set fire to their own wealth, utilize it in an illegitimate manner, or make use of it in a way that is harmful to the society. Such usages are forbidden and there is no difference in .this whether one is a woman or man

The Right to Security .۷

A person who wishes to live in the society—whether man or woman—needs security. This means that there must be an environment in which their lives, possessions, honor, and standing may be safe and in which no one interferes with their legitimate rights, affairs, and liberties. Security is the greatest and most important desire of .every person

For women this need must be provided for both in her husband's home and in the society. If their security is violated, they have the right to approach righteous courts

with their complaint in order to receive their rights. If it does not cause a conflict of interest or disorder in the society, she may directly defend herself and demand her .rights. Men and women are no different in this respect

Women can advance complaints, take necessary legal steps, hire a lawyer, speak in court, defend themselves, and perform any necessary actions their defense might require such as travel

or perform any other legitimate action. In addition to the fact that Islam has not denied this natural right, it is also obvious that the way of the women at the advent of .Islam was so and the conduct of noble Fatimah (‘a) confirms this

In order to get her rights, Fatimah (‘a) made speeches, performed debates and gave logical reasoning. She spoke in the presence of a great gathering of people in the Mosque of the Prophet (S) and interpellated government officials in order to obtain .her just rights. These are clear and apparent issues in Islam

Women must not say that they are embarrassed to speak out for justice and others must not say that it is shameful and indecent for women to demand their own rights! Why is it indecent?! Even others must help in this regard so that women may better .and easier rise to obtain their just rights

The Right to Legislation and Living in the Presence of Laws .۸

The existence of laws is one of the indispensable items of human social life. Men and women both have the right to have a part in legislation and naturally, they have the right to live in the presence of laws and benefit from the advantages of such laws. No one has the right to have bias and for example deny the right of women to have a part in legislation or deprive someone of the protection of the law because they are a .woman

The Right to Participate and Associate in the Government .۹

It is definite and certain that the society requires government. The prerequisite for enforcing laws is

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that there be a government that has the responsibility for bringing order to the society. Women and men alike, as citizens who have the right to participate in choosing their futures, can have a part in the government and its determination. .Naturally, presence in the prerequisites of this affair is also everyone's right

Establishment of unions and political parties, participation in various groups, taking part in elections and other political activities are several of the rights of all people, .including women

Women may form groups and defend the rights of men, women, and their whole country. They must not only think of their own affairs. They must also take the rights of the oppressed into consideration. If they think of these things also, they shall be much more successful. The useless rivalry and separation between men and women must not be provoked. While preserving religious and legal criteria, women must act .in the interests of the whole society and all humans

The Right to Choose a Spouse .۱۰

Just as men have the right to choose who to marry, so also when women arrive at the age of marriage, they have the right to choose a husband for themselves. A woman is free to choose a husband and no one may force her to marry or bar her from marriage. No one has the right to force a woman or maiden to marry a certain person. Fathers, mothers, relatives, nor any other person or persons may force her into an imposed or arranged marriage. Humans are completely free

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.in choosing a legitimate spouse and there may be no coercion or compulsion involved

The Right to Have and Raise Children .۱۱

Having children is a natural need and right. Humans regard having children as a method of perpetuating their existence. Women and men have the right to have children. If a man tells his wife that he does not want children at all, he can say that but that is only his side of the matter; the rights and desires of women must not be disregarded. Therefore, civil laws must preserve both their rights in some manner. Every man and woman has the right to train their children as they deem fit—in a legitimate manner. This is a natural desire and feeling that exists in all women and men. This issue requires a lengthier and clearer discussion in the area of family rights .and I shall end it here

The Right to Think and Have Opinions and Beliefs .۱۲

Women are sapient and so are men. Having reason and thought is a characteristic of both. When God gives someone a blessing, they have the right to make use of it. It goes without saying that as a consequence of thought, people arrive at an opinion or belief. This belief may be about issues spiritual and otherworldly or social and worldly. In any event, a person's belief is respectable, regardless of the way they are .achieved

True, others may give them advice and ask that they revise their beliefs. They may debate and refute their beliefs, but they cannot force them to change their views. For example, a person believes

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in God and someone tells them not to. Or a person has not yet apprehended the existence of God. No one may put others under pressure and condemn and imprison !them because they could not accept their beliefs

So, they could not accept them, so what? They can bring them logical reasons, guide them, and encourage them to think in a certain manner in order to rectify their beliefs. However, if ultimately the person says, 'I do not agree with what you are telling me', one cannot punish the person because they do not accept our views or are uncertain .regarding them

I must declare that some people protest Islam's decree regarding apostates [murtad] and maintain that it conflicts with freedom of belief as one of the natural rights of humans. They say: If a Muslim becomes skeptical regarding the righteousness of their ?religion or one of its pillars and cannot accept it, why do you deny their right to live

In short, I must say that this issue does not concern a natural right; rather, it goes back to the social and political rights of humans. Just as individuals have rights, the society also has rights that must be preserved. For example, at the advent of Islam some unbelievers would instruct their friends to accept Islam and then renounce and repudiate it after they were known as Muslims. This was a conspiracy for weakening the faith of the people and harming the society of Muslims. This is one of the motives

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.for this decree

The beliefs of people must be respected. Men and women are the same. However, if it goes beyond just believing and grows into expression of belief—meaning if a person intends to harm the beliefs of others, whose beliefs are also respectable, by promoting their own individual beliefs—civil rights and laws must determine the boundaries of freedom and naturally, special restrictions and regulations are .necessary

All human rights are such that when they attain social manifestation, like it or not, they are faced with conflicts. These conflicts prevent them from being realized in their pure forms; rather, they require special molds and channels. The spirit of these principles must be introduced in the form of constitutional laws and civil rights so that all people may benefit from the highest amount of rights and freedom possible and so .that nobody's freedom debars the freedom of others

One of the necessities of freedom in belief is that if someone must perform specific rites and ceremonies as a result of their belief, it is their right and no one may obstruct .them from or interfere with it

Liberty in seeking knowledge is a human right which has been extensively discussed previously. In short, women are as free as men in acquiring knowledge and there is no .need to repeat the discussion

The Right to Spiritual and Mystical Improvement .۱۴

Humans have the capacity and ability for spiritual improvement and intellectual advancement. Thus, women and men have the right to strive for lofty spiritual ranks and attain spiritual perfection and transcendent refinement and no

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.one has the right to bar anyone from this path

This was a summary of the rights woman have as humans. All people are obligated to accept these rights. Not only must everyone refrain from subverting these rights, they must also struggle to help defend them. The government and others are responsible for the fulfillment of these rights and must provide the instruments for the attainment .of women's rights

- ?'What is the meaning of 'natural rights' and 'acquired rights

Reply: Two types of rights can be conceived for humans: natural rights and acquired rights. Natural rights are rights whose source and provenance is the special genesis of humans. Such rights do not require laws or conventions. Every "natural capacity" is a basis for a "natural right". The reason that these rights are equal or equivalent for all humans is that no human is born superior, dominant, or subservient to others and the social systems of human life are not natural (inborn) or fatalistic. Jobs, posts, and responsibilities are not distributed by nature. Therefore, these rights belong to everyone and every human individual benefits from them according to nature. As these rights do not need to be formulated, no one can take them away and obstruct others from these rights. Regarding these rights, color, race, femaleness, maleness, or other differences or advantages are unimportant and no one is different. For example, the rights to learn or marry are rights that have been chronicled by the genesis of humanity and nature itself. Someone who

attempts to prove such rights have nothing new to say. They can only recite obvious and definite truths. Correspondingly, those who attempt to deny such rights are in .conflict with logic, nature, and the human genesis

It is of primal importance to observe and honor the natural rights of others. Thus, constitutional and civil laws must be legislated based on natural and inherent rights .and under no condition must they violate or conflict with such rights

If laws do not conflict with foundational rules and principles—some of which have been enumerated—their differences and temporal development must be considered a result of prevailing conditions and changes in circumstances. For instance, in a society it may be necessary to designate various restrictions and regulations for facilitating administration so that everyone may equally enjoy their natural rights, such as restrictions in familial marriage, birth control, conditions and manners of marriage and other contracts, labor laws, property laws, etc. These laws may differ from country to country. Even so, in similar circumstances, all humans who are subject to these laws have an equal right to benefit from them and the law itself .determines exceptions, if any

Another aspect that is usually regarded in the legislation of laws is that they must clarify what is to be done when rights are in conflict. For example, suppose some have a specific contagious disease in which case the law might bar them from marriage until they are cured. This deprivation of a natural right is because their enjoyment of their

own right equals the divestment of others of some of their rights. Thus, the preference is that, in order to preserve the legitimate rights of the majority and to prevent their loss, the rights and liberties of a minority are restricted. The law must determine these limitations. It must secure the rights of the society while also .respecting individual rights and liberties and attempting to further them

To state matters differently, secondary and specific laws incorporate the factor of objective truths and adhere to securing and providing the natural rights of all citizens with respect to specific temporal and physical conditions. Here, the question exists as to whether, apart from humanity's natural needs and attributes and also the necessities of social life, there are any other factors involved in the formulation of ?laws

In answer we must say: God, the Wise, the Glorified, has created humans for a specific purpose. He has ingrained some of the prerequisites for this objective in the nature and constitution of humanity. As an example, for the perpetuation of the human race, it is part of an individual's being to feel the need to marry and have affection for their children. When determining laws, we do not have the right to oppose this plan and ideal in a way that jeopardizes the continuance of humankind. This is one reason that the formation of a 'family' by two members of the same sex .cannot be sanctioned

In addition, each person must choose and pursue various objectives based on their

own principles and values. The development and success of individuals and societies alike depend upon this. In addition to not deterring or impeding the journey towards advancement and salvation, laws must make such paths smother, easier to cross, and brighter. Of course, as a result of the limits in humanity's knowledge and differences in opinion among people, laws that human beings legislate differ from .each other and sometimes even conflict

Some people state that this discussion has a close and interlaced relationship with "the relationship of truth and ideology", or in different terms "the relationship of truths and requisites". Can it be said that requisites (legislated laws) are completely derived ?from and based on realities

This is a basic issue which the late 'Allamah Tabataba'i, Shahid Mutahari, and some others have discussed at length. Other authorities do not agree with their logic. I

believe that requisites are based on realities. Humans have capacities and needs and as a result, they must fulfill them. As I have stated before, legislative rights and matters are a response to humanity's genetic needs and circumstances which cannot be denied or opposed. However, one point must be kept in mind: any "requisite" .″cannot be derived from any "fact

If, for instance, science comes to the conclusion that such and such race is superior to another race in some abilities and features, we may conclude that each must develop their own greater points of capacity and their acquired rights must be determined .based on their success and efficiency

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We cannot conclude racial bias from such differences because racism is a formula that is based on an essential difference between races. If we regard the races .different in their humanity, then we can differentiate their natural rights and merits

However, because all are identical in their humanity, their natural rights are absolutely equal. Everyone has the right to freedom, self-determination, education, political activeness, health, hygiene, etc. and they must all have complete benefit of the facilities and rights that are the entitlement of all human beings. Then, if varying results are achieved after this equal benefit, each person must take their suitable .place in the society and play a role that is most appropriate to their abilities

Some assert that there exists equality among all humans in regard to natural rights. Racial and individual differences have no effect on these rights. However, because acquired rights are based on the capacities, endeavors, and circumstances of people, naturally they will not be equal or similar. Now that there is equality in this matter, is ?there a specific rule that can be considered the basis and criterion for acquired rights

In answer I must say that one criterion is the manifestation of capacities. If a person works hard and attains competence in knowledge and science, management and leadership, or physical prowess, that person must be situated in his or her appropriate place in life so that their individual skills are wasted and impeded to the least extent

.possible

Another criterion is that benefiting from individual

rights must not cause damage or loss to others or violation of their rights. They must not even induce detriment in the persons themselves. Also, they must not cause disorder in or harm to the social system and must not conflict and cause discord with other human standards and criteria. The corpus of these criteria may be summarized in the word justice; meaning that no right may be inharmonious with the principles of .justice

If the use of a right entails injustice, it becomes unjust and loses its status as a right. It is not permissible or lawful for any woman or man to violate the rights of others with the pretext of benefiting from their own rights. This is forbidden on grounds of rights .abuse

The Noble Zahra ('a): The Epitome of Women

What was your motive for writing the book Banu-ye Nimunah-ye Islam (The Model • ?(Woman of Islam

Reply: My second work was the book Banu-ye Nimunah-ye Islam which I wrote in the year AH ١٣٤٩ (approximately AD ١٩٧٠). For a long time I was thinking that we must provide the Islamic society with an ideal family as a paragon with which men and women can learn lessons for all areas of life. The best family that could be considered .(for this aim was the family of 'Ali ibn Abi Talib ('a) and Zahra ('a

This is because, among men, after the Prophet (S), Amir al-Mu'minin ('a) and among women, noble Fatimah ('a) are the best of people and the great personages of Islam. Because they

were Infallible, these two worthy personalities completely observed all their religious

duties and lived by virtuous Islamic values. Thus, they can be considered models for families in marriage, social relations, and internal family relationships including spousecraft, raising children, household management, etc. Hence, I thought to .inspect and examine this family and introduce it as a paragon

In order to chronicle the family life of these two personages, two methods were available: One was investigation of their inherent virtues. Amir al-Mu'minin ('a) and noble Zahra ('a) each possessed intrinsic virtues due to their infallibility and investigating these was, in itself, an extensive affair. The second method was illustration of the family and to some extent social behavior of these luminaries. This was my main purpose; even so, I also more or less engaged in the first focus though my intent for this was also to elucidate the practical program and behavior of these .two great personalities

At first I believed that our Islamic sources were very rich and profuse regarding the life of noble Zahra ('a). However, during my research I realized that, in fact, we have very few references because the lifespan of Hadhrat(۱) Zahra ('a) and especially her married life was very short. In addition, due to her main responsibilities, a large portion of the life of this guiding light was played out at home and people are less notified of what goes on within the homes of others. Therefore, we do not have thorough information regarding the details of Hadhrat

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[.This is an honorific title that precedes the name of great personages. [trans - -۱

Zahra's ('a) behavior. Moreover, the women of that age were under various restrictions and the nature of these restrictions was that no one realized the details of their behavior. Basically, behavioristic matters were not considered important enough to mention. Although I was faced with such problems, I tried to use anything I could, .however miniscule, and extract results

As I advanced in the study, I became more interested and attracted to the issue; it achieved a spiritual aspect. The perfect character of noble Zahra ('a) had greatly

affected me such that many times I cried while writing. I had become captivated. My inspiration to pursue the subject further would strengthen by the moment. At this :juncture it seems suitable to reminisce about one of my memories

When the book was finished I softly spoke to the Hadhrat: 'O Daughter of the Prophet! If this work is satisfactory and acceptable to you I desire a reward from you.' Due to the course of events, I was not able to go to Hajj because I did not wish to go as a caravan cleric or using similar titles, and I did not want to pay by installments. I also did not have enough money to go on my own. Naturally, I almost had no hope. Therefore, I said before the presence of the exalted Sadiqah Tahirah ('a): 'The prize I want from you is a Hajj pilgrimage. I want to go to Hajj with my own money and I want my pilgrimage to be

'.successful

One day, I was walking home through Safa'iah street in Qum when a man that I was somewhat acquainted with pulled his car over to the side of the road and insisted that he take me where I wanted to go. I finally got into his car. He asked were my house was and took me there. At the door he said: We want to compile and author religious books for some Islamic schools in Tehran. We have the permission of the Department of Education and Training. I want to put you in charge of the work so that we may .prepare a suitable book with the collaboration of some others

Because I had not worked on children's books until then, the job seemed hard for me and I said that I could not. However, he insisted and when he left he was still adamant that I certainly accept the project. Then he put two, one thousand toman bills, which had recently entered circulation at the time, on the mantel and left. For a time, I endeavored to prepare the preliminaries for the job until he again came to my house. As much as I tried to evade the job he would not accept and he said: You are the only one for the job. Again before he left, he put two one thousand toman bills on the .mantel. That made it four thousand tomans

The job was forced upon me. At the time, they were registering people for Hajj in Safa’iah

street. I took the four thousand tomans and signed up for Hajj. I do not remember where I got the rest of the money (five hundred tomans) that was needed for the pilgrimage. Anyway, that year I made a pilgrimage to the House of God. After that also I succeeded in making a few more pilgrimages in the most desirable manner to Hajj. In two of my journeys I was able to visit the interior of the Ka‘bah and I do not .(see this as anything but the favor of the noble Zahra (‘a

It has been over ۲۷ years from the first print of the book Banu-ye Nimunah-ye Islam. By the grace of Allah, the Almighty, the book was reprinted at least once almost every year. The fact that in the recent prints it is written ۱۴th or ۱۵th print is because in the past they did not write the print number and it is much more than that. Every year it has been reprinted at least once and sometimes even twice. It has also been translated to some foreign languages. Even though ۲۷ years has passed from its authorship, it is still considered a new book and this is due to nothing but the special .(favor and grace of the lauded Zahra (‘a

I have continually tried to add on new content I found in Hadith or the Quran or things that came to my mind. Its file was always and still is open to amendment and improvement. Throughout these

years I have made significant changes a few times and have added new content. This .may have had influence in the continuing novelty and freshness of the book

- What are the criteria for a model woman? Can the passage of time influence such ?criteria

Reply: Temporal transition and transformations in the circumstances of human life do not remold the substructures and fundamentals of human life. Only superstructures,

lifestyle, and forms of human communication change. The nature and constitution of humans is uniform in all ages and generations. The Traditions of Allah (i.e. the laws of existence), which includes the laws governing human life, are all constant and immutable. The relationships of humans with God, the society—including family—and .nature are relationships that in their essence follow set principles and cannot change

As a woman who was enlightened in these values and lived by divine and human standards, Hadhrat Zahra (‘a) can serve as a perfect example for all humans until the end of time. In other words, we can say just as religion is unchanging and constant, an exemplar may also be constant and eternal. We need not set details that are not values or basics per se and are direct results of prevailing circumstances as our paragon. Rather, we should accurately understand the measures and values derived from the conduct of the Infallibles (‘a) and execute them in our lives according to .current states of affairs

Can anyone claim that the essence of choosing and taking a suitable spouse, simplicity and unpretentiousness

in living, reciprocal respect and mutual understanding among spouses, devotion and sacrifice, defense of the rights of the family, honesty and integrity, giving importance and endeavoring to train children, feeling responsibility towards the society, and similar issues are things whose righteousness and value transform with the passage of time? All these are seen in the life of the lofty Zahra (‘a) and people such as she can .be a perfect paradigm for everyone for all time

- What important and facilitating characteristic in the life of Hadhrat Zahra (‘a) has ?drawn your attention the most

Reply: In truth, the lives of Hadhrat Zahra (‘a) and Amir al-Mu’minin (‘a) are intriguing and perfect examples in all aspects. However, that which most enchanted me was their modest livelihood. Hadhrat ‘Ali (‘a) was the second personage of Islam and the Prophet’s (S) son-in-law. If it was not for the struggles and selflessness of Imam ‘Ali

(‘a) Islam could not have easily attained such success. His was a superior character in all aspects. Fatimah Zahra (‘a) was both the greatest of women and the daughter of the Prophet (S) and as such she was honored by him. Even so, they lived in ultimate simplicity. They endeavored to keep their livelihood even below the usual and common level of the times. They endured the hardships of life more than others and Hadhrat Zahra (‘a) was completely willing and prepared for this. This is a very important matter because at the time the Prophet (S) kept the Islamic

funds and taxes and he could for example provide an extensive trousseau for his daughter or he could have given ‘Ali (‘a) great sums of money for his services to Islam .to help him in his life. But he did not do this

The noble Zahra (‘a) observed this value very carefully and endured all types of hardships with heart and soul and never made excuses or protests. One day the Prophet (S) saw a curtain in Hadhrat Zahra’s (‘a) house. When he left her house to pray Fatimah (‘a) felt that he got upset that she had a curtain. She gathered the curtain and sent her children to take the curtain to the Prophet (S) at the mosque. The Prophet (S) was elated and said: My daughter has done what I wanted. Their entire .life is imbued with simplicity and in my opinion this is very important

Why is simplicity in livelihood and abstinence from consumerism and luxury • considered a value? Is this recommendable for everyone or only officials, leaders, and ?their families

Reply: It is a general principle that wealthy and prosperous people should help the weak and needy classes. In addition, they must not live in such a manner that the inclination for luxury is intensified and fortified among the various social classes and causes the unhappiness of the lower classes. Islam in no way endorses competition for luxury. That which one wants to spend for luxury must be spent for social affairs and helping the poor. However, officials

and those that, spiritually or politically, possess elevated statuses or are great personages must pay special attention to the matter. If they even wish to live luxuriously with their own personal and legitimate property and be bound to welfare, others will also follow this path and the lives of those that are not economically .endowed will become more difficult

Another detriment to the society in this area is that fundamental beliefs and values in the minds and hearts of the people will become undermined. They will say: When our personages act in this manner it is evident that the cardinal purpose is money and .materiality and spirituality has no real credence

Even if there were no poor and disadvantaged people in the society and the extravagance and profligacy of the prosperous did not have a detrimental effect on others, simplicity in livelihood would still be a value and duty. This is because Islam is opposed to wastefulness and prodigality and deems these things indecent even if there are no poor in the society. Instead of using wealth for luxuries and formalities, it should be used on the path of growth and perfection of the society so that the people .and society advance in all areas and become powerful

In order to attain this purpose, we must lessen our material attachment because the more attachment we humans have to the world the farther we get from spirituality. However, worldliness is not just having wealth, welfare, or excellent facilities it is also extreme affection to

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such things. A person may be poor not because of their lack of interest in the world but because even though they were overly fond of the world they were not successful in attaining wealth or a person may have very few worldly possessions but love them .dearly and be extremely attached to them

These human spiritual inclinations may also be influential in the methods and strategies of acquiring riches. A person who has great love for worldly chattel seeks it in any way and does not refrain from injustice, unfairness, oppression, or sin. On the

other hand, persons who are not greatly attached to the world do not see illegitimate .paths open before themselves and abstain from violating the rights of others

The great Zahra (‘a) was daughter to the Prophet (S) and wife to the vicegerent of God. The conformance of the life of this luminary with the values and slogans of the Prophet (S) and Hadhrat ‘Ali (‘a), her simple livelihood, her attention to spirituality, and her high regard for the interest and benefit of the society were things that can be .considered the secrets of the Holy Prophet’s (S) success

Of course, the value of simple living is not limited to the time of the Prophet (S). The people expect all those who claim to be good Muslims, those who support Islam, those who have gained renown as Islamic personages or proponents of the Islamic .(government to live like the Prophet (S), Amir al-Mu’minin (‘a), and Fatimah Zahra (‘a

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If the people observe simplicity and lack of attachment to the world, they will become fond of religious authorities, the Islamic government, and officials. On the other hand, if they see attachment and lavishness and a chasm between words and deeds, they .lose hope in these things

The trustworthiness of a savant that describes the life of Fatimah Zahra (‘a) and ‘Ali (‘a), praises the justice of ‘Ali (‘a), speaks of the underprivileged and downtrodden but has a luxurious life—albeit through legitimate wealth—comes into question. The people say the Prophet (S) and Hadhrat ‘Ali (‘a) worked and surely their great intelligence and incredible foresight brought them great benefits. Even so, whatever they obtained, they would give it to the poor. The people also expect the same .nowadays from government officials

Thus, religious personages and officials of the Islamic government have a great responsibility in that they must be very careful of their behavior and that of their families and those close to them. If they live correctly they are in effect propagating .Islam

Some women encourage their husbands to prodigality, overindulgence, and luxury-living in order to “keep up with the Joneses”. They must take example from the life of noble Zahra (‘a) and know that if they perform an offence and desist from observing their status and station they are harming the Islamic government and are answerable .in the next life

Regarding her social relationships and activities, which characteristic of Hadhrat • ?Zahra (‘a) has entranced you the most

Reply: Hadhrat Zahra (‘a) was present

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in political and social activities in various manners. Participation in war related issues, even direct participation in behind the lines activities, spiritual and mental cooperation and aid of Amir al-Mu’minin (‘a) in matters of Jihad, holding meetings for education and edification, and similar tasks. However, I believe that the most important issue for Fatimah Zahra (‘a) was defense of the right and vicegerency of Amir al-Mu’minin (‘a) which she worked on as a social duty in any form possible. For instance, regarding the Fadak affair the basic essence and reason for her deeds and persistent follow ups .was the defense of right and vicegerency

Even her last effort in which she willed that her husband hold her funeral and bury her in the middle of the night and conceal the grave was an extension to Hadhrat Zahra’s (‘a) political and social presence. It shows the intensity of her purpose and greatness because everyone likes others to attend their funeral procession and burial and honor them, they like others to come to their graves and remember them. However, this great woman sacrificed all this for the purpose and message that was her duty to .convey

Without taking into account her infallibility, what individual, familial, social factors • and influences in her background helped determine the formation of Fatimah Zahra’s ?(‘a) virtues

Reply: Hadhrat Zahra ('a) had a superior familial position. She was born into the house of a father who was the best teacher and guide of all of humanity. Her mother was

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also not an ordinary person. In a time that women were subject to great deprivation, Khadijah ('a) was a woman who was able to establish and manage a great .commercial firm and dispatch grand commercial caravans to other countries

This shows the intrinsic worthiness of this woman. In my opinion, even more important than this was the correct determination, deep understanding, and exact insight in human character of this woman who had great wealth and social standing that caused her to propose marriage to a person who did not have a great financial standing in the society and was an employee in her business. This shows how subtle and sharp-sighted she was in apprehending lofty human values which she decisively .and faithfully chose and preferred over material values

Also, after the fact, when the Prophet (S) was appointed by Allah, she put all her belongings in his control to use for furthering Islam. Hadhrat Zahra ('a) grew up and was trained by such a mother and father. She matured in a family that was immersed in religion and perpetual struggle for the faith. Later, when she entered her husband's household, she lived with a person who was the spiritual son of and had been trained by the Prophet of Allah (S) and who was the essence of human virtues. And all these people and events had roles in the formation of the superior character of Siddiqah .(Tahirah ('a

Fatimah ('a) was the daughter of the Prophet (S) and Khadijah ('a), the

p: ۱۹۴

wife of 'Ali ('a), the mother of the two Hassans ('a) and the two Zainabs ('a)... But, I must say that the most expressive word is that: "Fatimah was Fatimah". Sometimes the character and prestige of a person is due to their kinship with their father, mother, or others. However, in addition to having these merits, the character of Hadhrat

Zahra ('a) was because she was Fatimah and due to her inherent personality and .greatness

The fact that in some prayers handed down by the Infallibles ('a), noble Zahra ('a) is addressed using her relation to others is because it is necessary to emphasize these relationships to people so that they are made aware that these are the People of the House [Ahl al-Bayt] of the Prophet (S) and so that they remember what was written in the Quran and the sayings of the Prophet (S) regarding the dignity and status of the .Ahl al-Bayt

There are many instances in history where the Imams ('a) emphasized this aspect so that even if the people could not comprehend their other merits, they would not forget this merit and know them through this. Another issue is that when we address the noble Zahra ('a) as the "Daughter of the Prophet of Allah (S)" [binta rasul allah], this means the true daughter of the prophethood. This is different from saying, for example, daughter of Muhammad (S). When we say Daughter of the Prophet of Allah ;(S) the person and physical relationship is not intended

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.rather, it is the character and spiritual relationship of the person we intend

- What expectations did Hadhrat Fatimah ('a) have of the people in her historical ?speech in the Madinah Mosque and what was the reason for her anger

Reply: The momentous and sensitive speech Hadhrat Fatimah Zahra ('a) made in the Mosque of the Prophet (S) and among his followers was a very interesting occurrence which showed the depth of the character of her eminence. Such a brilliant and meaningful oration by a bereaved and pained woman and in such times with their problems and limitations shows her great social commitment, precise power of analysis, and boundless spiritual and mental prowess. In this lecture, the Hadhrat ('a) referred to the people's shining record of service to the Prophet (S) and then .maintained that their current behavior was opposed to prior expectations

It is a fact that from her childhood Hadhrat Zahra (‘a) was witness to all the sufferings of her father. She experienced the Shi‘b of Abitalib,(۱) she saw the torture Muslims were subject to, she felt the hunger and pressure the Muslims bore for the advancement of their religion with her whole being, she was witness to all the steadfastness, struggles, emigrations, and martyrdoms of the Muslims. She remembered the history of Islam from a time of conditions that caused Muslims not to be able to perform their religious rites and ceremonies in peace, up to the time when the Muslims attained greatness and the advancement and development of

p: ۱۹۶

This is an area where the unbelievers of Mecca banished the Muslims for several – -۱
[.years. [trans

.Islam gained great momentum

Hadhrat Zahra (‘a) had much hope for the future of Islam and it was not far from reality for the light of Islam to illuminate the whole world. All these triumphs were due to the endeavors and leadership of the Prophet (S) and the sacrifice, selflessness, and unity of the Muslims. However, on that day, against all expectations, she saw a new .problem for the advancement of Islam

There was neither a trace of continuing divine leadership nor unity of the Islamic community [ummah]. Thus, she was upset: What happened to all my father’s advice about holding fast the rope of Allah [habl Allah]? She knew of the knowledge, infallibility, piety, and management abilities of ‘Ali (‘a) and she saw that the people disregarded all the guidance and divine sayings of the Prophet (S) regarding ‘Ali ibn Abi Talib (‘a). The deep sorrow of Zahra (‘a) arose from observing the great distance .and gaping chasm between that which should have been and that which was

Sometimes the characters and lives of Hadhrat Fatimah (‘a) and the other Infallibles • are introduced as entirely composed of sadness and sorrow and blended with ?lamentation and grieving. Is this correct

Reply: That which is discussed as the greatest element regarding the character of the Infallible Imams (‘a) and noble Zahra (‘a) is that their thoughts, morals, and mannerisms must be examples for the people because we can easily declare that Islam was absolutely manifested in their existence. Our love for our Infallible

leaders is love of completely perfect manifestations of Islamic commandments, .beliefs, and values

Our duty toward the leaders of our religion is that we must love them as perfect divine examples, understand their thought, execute their instructions, and structure all aspects of our lives by their intended standards. The exemplariness of the Prophet (S) which was stated in the Holy Quran is a principle and it teaches us that we must, more .than anything, see the Infallibles (‘a) in this perspective

لَقَدْ كَانَ لَكُمْ فِى رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ...

(Surely you have in the Prophet of Allah a good example…”(۱“

The Holy Prophet (S), Pure Imams (‘a), and Fatimah Zahra (‘a) were each afflicted with various worldly tribulations and adversities and it is a truth that due to their emphasis and decisiveness in righteousness and extraordinary intransigence before evil, they were treated with animosity, oppression, and spite by antagonists. We must join in their sadness, sympathize with them, and shed tears for them. This is a necessity for .being their allies and followers

However, that which is of greater import and which essentially must be the soul of mourning and lamenting is that we must learn from them, from their words, their deeds, and their whole lives. Our mourning gatherings must be held for this purpose. However, with utmost regret we see that the situation has changed; meaning that instead of accepting them as our role models and learning from their lives, we have lost everything about the leaders of our religion and

.Surah Ahzab ٣٣:٢١ – –١

.only remember their calamities and mourning

What I mean is that Imam Hussain (‘a) did not go to Karbala to die so that we might cry for him and go to heaven. He had a purpose for going to Karbala and our chief duty regarding this great man is to follow his objectives. This is the best service and task that will both make Imam Hussain (‘a) happy and have the most rewards and recompense for us in the afterlife. In fact, this is the true meaning of Imamate and .[Vicegerency [wilayat

It is the same regarding the other Infallibles (‘a). We must realize the reason for Hadhrat Zahra’s (‘a) stance and behavior, why she made those speeches, why she was insistent on the affair of Fadak, and so on. We must know our duty as Shi‘as and followers and friends of Zahra (‘a). We have erroneously let go of all this and have .held fast only to the weeping

Of course, various Hadith state that crying for Hussain entails much otherworldly reward [thawab], and this is true. We might cry for Imam Hussain (‘a) because he was surrounded by enemies in Karbala and was killed while he and his children were thirsty and parched. These tears do not have the true value that must be sought. However, if we cry for Imam Hussain (‘a) because this grand man rose up in defense of Islam, stood against evil with his whole being without the slightest doubt or hesitation for God, wholeheartedly accepted

p: ١٩٩

all the hardships of this path, and was ultimately tyrannously martyred due to the naïveté, insensateness, derangement, negligence, nonchalance, sybaritism, and greed of those who regarded themselves the Ummah of the Prophet (S) and followers of his religion, such tears have value; such tears mean alignment and unity with .Hussain; such tears mean being Shi‘a

If we cry for Fatimah Zahra (‘a) because she was an eighteen year old woman who

took no pleasure from life and was oppressed and her Fadak was misappropriated and the like, this has no real value. Crying for Hadhrat Zahra (‘a) has value when we know and realize that she was undeviating and adamant for her purpose and because of this she endured many hardships. We can cry in two ways for a shahid (martyr). One way we can cry is because they died unfulfilled or unmarried and took no .pleasure from life, which is worthless

However, sometimes the magnificence, beauty, and greatness of their act causes our hearts to tremble and tears to flow. We cry–for why should evil have power in the world so that it may overcome righteousness in such a manner? Such tears are constructive motivators. They strengthen the passion and eagerness for Godly deeds within the souls of humans and thus, they have value. It is a great tragedy that we have lost this aspect and have fallen into other paths. All of us have the duty to remedy this occurrence. As long as we do not rectify this affair,

.many of our problems shall endure

• In your opinion what are the roots of these problems?

Reply: Those who propagate these things more than anyone else are eulogists and tragedians. They must be made knowledgeable so that they can perform their duties correctly. They must be perfectly acquainted with Imam Hussain (‘a), Hadhrat Zahra (‘a), and noble Zainab (‘a) and introduce them accurately. Eulogists must be made to realize that they must incorporate useful purposes into their poetry. If eulogists pay attention to these aspects and delineate, realistically and properly, the personalities of the Saints of God in their mourning ceremonies and pay the most attention to learning from them, these problems will resolve themselves and they must be .resolved because the current state of affairs is truly not right

The people should be made aware that listening to and orating eulogies and attending ceremonies of Imam Hussain (‘a) can only be useful when, through them, they are enlightened with the aims and teachings of this luminary. Mourning him is only useful

when it is for the path and purpose of Imam Hussain (‘a). The people must be careful that they not accept everything that is said in such ceremonies. In order to make the people cry, some eulogists present many weak and untruthful materials. Sometimes they say things that reduce the status and personality of those great individuals even .lower than normal people

In any event, the laws of supply and demand also hold true here. Because the masses want tears, eulogists

p: ٢٠١

and preachers take more to this path to make people cry even with untrue attributions to the Imams (‘a)! We should not neglect the fact that fabrication is a sin and haram and lying about the Imams (‘a) is even worse. Without having competence in this area, some have entered the field and have gained renown. Thus, they imply incorrect duties regarding the greatness of the Imams (‘a) and the people’s responsibilities towards them, and wrongly present various issues such as some aspects of intercession [shafa‘at] to the people. They also promote styles of .lamentation that are not without fault

In my opinion, religious authorities have the greatest responsibility in guiding these programs. Religious authorities must analyze the facts correctly and inform the people. They must not dissimulate [taqiyyah] before the people. Just as Shahid Mutahari—may God bless him—has put forth some great materials in speeches that were gathered into a book called Epic of Husaini Valor [hamasah-ye husaini]. In times that were very different from today, he had the courage to say words of .righteousness

Nowadays the path has been widened and paved because the people are more enlightened. It is the certain duty of religious authorities to provide insight. Religious authorities should not be public-oriented in that they verify and follow any custom or way that becomes common is the society. In revealing righteousness one should not fear the anger or dismay of others. All religious authorities, writers, mass media—everyone must perform their duty; otherwise the situation will become

.worse day by day

At the decline of the previous regime and the apex of the religious Movement our religious societies were much better. I remember that because preachers could not plainly state regime and government matters, they would assert these issues by .analyzing the uprising of Aba ‘Abdillah al-Husain (‘a) and its objectives

However, now, instead of in depth analysis of such issues, the main issue is forgotten and we have returned to where we were before. If we want to hold a ceremony or do something in the name of religion, it should be according to religious precepts. A deed worthy of rewards is not something we can just make up by ourselves. We must see if there is a religious reason behind it or not; if it is congruous with religious principles, ?values, and aims or not. However, can just anyone do these things

Again only religious authorities can and must. They must examine the methods and styles of mourning and their content to find from where an innovation [bid‘at] stems, why it exists, what effect it has on the society, and if, God forbid, there are deviations they must be corrected. Especially programs that are broadcast by the Television and Radio Department of the Islamic Republic of Iran must be scrutinized and it must be determined whether the thoughts and deeds of the people that make the programs .are sound

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About center

In the name of Allah

هَلْيَسْتَوِيالَّذِينَيَعْلَمُونَوَالَّذِينَلَايَعْلَمُونَ
?Are those who know equal to those who do not know
al-Zumar: ۹

:Introduction
Ghaemiyeh Computer Research Institute of Isfahan, from ۲۰۰۷, under the authority of Ayatollah Haj SayyedHasanFaqihImami (God blesses his soul), by sincere and daily efforts of university and seminary elites and sophisticated groups began its activities .in religious, cultural and scientific fields

:Manifesto
Ghaemiyeh Computer Research Institute of Isfahan in order to facilitate and accelerate the accessibility of researchers to the books and tools of research, in the field of Islamic science, and regarding the multiplicity and dispersion of active centers in this field
and numerous and inaccessible sources by a mere scientific intention and far from any kind of social, political, tribal and personal prejudices and currents, based on

performing a project in the shape of (management of produced and published works from all Shia centers) tries to provide a rich and free collection of books and research papers for the experts, and helpful contents and discussions for the educated generation and all classes of people interested in reading, with various formats in the .cyberspace

:Our Goals are

(propagating the culture and teachings of Thaqalayn (Quran and Ahlulbayt p.b.u.t-

encouraging the populace particularly the youth in investigating the religious issues-

replacing useful contents with useless ones in the cellphones, tablets and computers-

providing services for seminary and university researchers-

spreading culture study in the publich-

paving the way for the publications and authors to digitize their works-

:Policies

acting according to the legal licenses-

relationship with similar centers-

avoiding parallel working-

merely presenting scientific contents-

mentioning the sources-

.It's obvious that all the responsibilities are due to the author

:Other activities of the institute

Publication of books, booklets and other editions-

Holding book reading competitions-

Producing virtual, three dimensional exhibitions, panoramas of religious and tourism- places

.Producing animations, computer games and etc-

Launching the website with this address: www.ghaemiyeh.com-

Fabricatingdramatic and speech works-

Launching the system of answering religious, ethical and doctrinal questions-

Designing systems of accounting, media and mobile, automatic and handy systems,- web kiosks

Holding virtual educational courses for the public-

Holding virtual teacher-training courses-

Producing thousands of research software in three languages (Persian, Arabic and- English) which can be performed in computers, tablets and cellphones and available and downloadable with eight international formats: JAVA, ANDROID, EPUB, CHM, PDF, HTML, CHM, GHB on the website

Also producing four markets named "Ghaemiyeh Book Market" with Android, IOS,- WINDOWS PHONE and WINDOWS editions

:Appreciation

We would appreciate the centers, institutes, publications, authors and all honorable friends who contributed their help and data to us to reach the holy goal we follow.

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